

**PART I**  
**GENERAL REQUIREMENTS: NJPDES**

**A. General Requirements of all NJPDES Permits**

**1. Requirements Incorporated by Reference**

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

**2. General Conditions**

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

**3. Operation and Maintenance**

- a. Need to Halt or Reduce N.J.A.C. 7:14A-2.9(b)
- b. Proper Operation and Maintenance N.J.A.C. 7:14A-6.12

**4. 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

#### **5. 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. Schedules of Compliance N.J.A.C. 7:14A-6.4

#### **6. NJPDES Rules**

- a. Copies of the NJPDES rules may be purchased by contacting Lexis Nexis-Customer Service at (800) 223-1940, or go tot Lexis Nexis bookstore on the internet at [www.lexisnexis.com/bookstore](http://www.lexisnexis.com/bookstore).

**PART II****GENERAL REQUIREMENTS:  
DISCHARGE CATEGORIES****A. Authorization Under this Permit****1. Permit Area**

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

**2. Eligibility**

- a. This permit may authorize new and existing industrial stormwater discharges to surface and/or ground waters of the State from facilities either primarily engaged in the manufacture of asphalt concrete or asphalt concrete products and the ancillary recycling of concrete, concrete block and brick in accordance with a Class B permit issued by the Department, except for the following:
  - i. Facilities with stormwater discharges to surface and/or ground waters of the State from other regulated industrial activities;
  - ii. Stormwater discharges authorized under another New Jersey Pollutant Discharge Elimination System (NJPDES) Discharge to Surface Water (DSW) or NJPDES Discharge to Ground Water (DGW) permit (including an expired permit), or combined with domestic wastewater or process wastewater prior to treatment (except pursuant to N.J.A.C. 7:14A-6);
  - iii. Stormwater discharges from facilities with "sanitary landfills" as defined in N.J.A.C. 7:26-1.4 or "hazardous waste landfills" as defined in 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);
  - iv. Stormwater discharges from facilities subject to United States Environmental Protection Agency (USEPA) stormwater effluent limitation guidelines, under 40 CFR Subchapter N;
  - v. "New operations" with discharges to surface waters classified as Category One (C1), Pinelands Waters (PL), Fresh Water One (FW1) or Saline Coastal Waters (SC) designated in the tables in N.J.A.C. 7:9B-1.15 (Surface Water Quality Standards);
  - vi. "New operations" with discharges to ground water in areas classified under N.J.A.C. 7:9-6 (Ground Water Quality Standards) as Class 1-A and Class 1-PL, or which discharge to ground water that contributes to surface waters classified as C1 or FW1; or
  - vii. Stormwater discharges from projects or activities that conflict with an adopted area wide or Statewide Water Quality Management Plan (WQM plan).

### **3. Authorization**

- a. In order to obtain authorization under this permit (except for automatic renewal authorization under Part II.A.4), a complete Request for Authorization (RFA) shall be submitted in accordance with the requirements of this permit. Upon review of the RFA, the Department may, in accordance with N.J.A.C. 7:14A-6.13, either:
- i. Issue notification of authorization under this permit, in which case, authorization is deemed effective as of the first day of the following month;
  - ii. Deny authorization under this permit and require submittal of an application for an individual permit; or
  - iii. Deny authorization under this permit and require submittal of an RFA for another general permit.
- b. A complete RFA shall contain all the information required by Part II.B.4, including all forms, signatures, and certifications.
- c. For discharges authorized under this permit, the permittee is exempt from N.J.A.C. 7:14A-6.2(a)2. This exemption means that the discharge of any pollutant not specifically regulated in the NJPDES permit or listed and quantified in the NJPDES application or RFA shall not constitute a violation of the permit.
- d. Authorization under this permit shall cease to be effective under N.J.A.C. 7:14A- 6.13(f), (h), (j) and (o), where applicable.

### **4. Automatic Renewal of Authorization**

- a. Authorization under this permit will be automatically renewed when this general permit is reissued as provided by N.J.A.C. 7:14A-6.13(d)9 and 25.4(a)3 so long as the discharge remains eligible. The Department shall issue a notice of renewed authorization to the permittee.
- b. If the permittee is aware of any information in the most recently submitted RFA that is no longer true, accurate and/or complete, the permittee shall provide the correct information to the Department within ninety (90) days of the effective renewal authorization notice.

## **B. Requests for Authorization Requirements**

### **1. Deadline for Requesting Authorization for an Existing Discharge**

- a. Pursuant to N.J.A.C. 7:14 A-24.4 any “stormwater discharge associated with industrial activity” as defined in N.J.A.C. 7:14A-1.2, shall submit a request for authorization for a stormwater general permit or an application for an individual NJPDES stormwater permit by April 1, 1993 (with limited exceptions).
- i. Existing stormwater discharges associated with industrial activity from unpermitted facilities may submit an RFA to the Department for authorization under this permit. 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.

## ***2. Deadline for Requesting Authorization for New Operations***

- a. An RFA for new operations shall be submitted at least sixty (60) days prior to the commencement of industrial activity. The Department may accept an RFA submitted after the foregoing deadline; however the discharger is liable for any violations that occurred prior to the submission of the RFA, including discharging without a permit.
  - i. New operations shall submit with the RFA the Department's Generic Certification Form certifying that the facility has implemented all Best Management Practices (BMPs) required by the permit and is in compliance with all permit conditions, prior to the commencement of industrial activity.
  - ii. The Department reserves the right to authorize a facility as a "New Operation" even if it has an "existing discharge".

## ***3. Requesting Authorization***

- a. A separate RFA shall be submitted by each person who is an operating entity of a hot-mix asphalt facility with a "stormwater discharge associated with industrial activity".
  - i. Separate RFAs shall be submitted for separate facilities. No two buildings shall be considered to be within a single facility unless those buildings are on the same or adjacent properties.
- b. When a facility is owned by one person, but is operated by another person, the operating entity shall submit the RFA.
- c. If two or more persons request authorization under this permit for activities within a single building, then those activities should be considered to be within a single facility.
- d. If a facility has more than one operating entity at a single facility and their stormwater discharges are commingled, such entities should jointly submit a single RFA for the facility.

## ***4. Contents of the Request for Authorization***

- a. The RFA shall include all of the following information:
  - i. Applicant(s)/Operating Entity's business name, mailing address, and telephone number;
  - ii. Parent company's (if applicable) name, mailing address, and telephone number;
  - iii. Property/Land owner's legal name, mailing address, including a contact person and telephone number;
  - iv. Location of Facility/Site's name, address, and lot and block;

- v. Facility Contact's name, affiliation, mailing address, and telephone number;
- vi. Facility description and current or proposed use;
- vii. Operating Status (government, commercial, religious, charitable, public school);
- viii. Status of Facility (existing or new operation) and, if the facility is a new operation, the date industrial activities will commence;
- ix. Requested permit action and requested discharge activity (Hot-Mix Asphalt Producers Stormwater General Permit NJ0132721);
- x. List of other NJPDES permits associated with the facility (if applicable);
- xi. Applicant Agent's name, position, company, company's mailing address, telephone and signature (if applicable);
- xii. Applicant Certification and original signature; and
- xiii. An 8.5" x 11" copy of a portion of the U.S. Geological Survey Topographic Map, 7.5 minute quadrangle series, depicting the site boundaries with existing discharge location(s), and the name of the quadrangle(s) where the site is located.
- xiv. For new operations only, the Department's Generic Certification Form certifying that the facility has prepared and implemented a Stormwater Pollution Prevention Plan (SPPP) and is in compliance with all permit conditions.
- xv. Hot-Mix Asphalt Producers Supplemental Form.
- b. 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.

## ***5. Where to Submit***

- a. The required information shall be entered on the Department's RFA-1 Storm form. The RFA-1 Storm form shall be submitted to:
- New Jersey Department of Environmental Protection (NJDEP)  
Division of Water Quality  
Bureau of Permit Management  
P.O. Box 029  
Trenton, NJ 08625-0029

## ***6. Additional Notification***

- a. Facilities that discharge stormwater associated with the regulated industrial activity through a municipal separate storm sewer system (MS4) shall submit,

upon request of the MS4 operator, a copy of the RFA to the owner of and operating entity for that system.

- i. The owner and operator of a MS4 may be a municipality, county, or highway agency (e.g., New Jersey Department of Transportation, South Jersey Transportation Authority, or New Jersey Turnpike Authority).

#### **7. *Requiring an Individual Permit or another General Permit***

- a. Pursuant to N.J.A.C. 7:14A-6.13(e) the Department may require any permittee authorized under this permit to apply for and obtain an individual permit, or seek and obtain authorization under another general permit.
  - i. If a facility fails to submit an application or a RFA by the date specified by the Department in the required notice, the general permit authorization under this permit shall be automatically terminated at the end of the day specified for submitting the application form or a RFA.
- b. In accordance with N.J.A.C. 7:14A-6.13(g) any permittee authorized under this permit may request to be excluded from authorization under this permit by applying for an individual permit or for another general permit.

### **C. Other General Requirements**

#### **1. *Monitoring Location & Outfall Tagging***

- a. All permittees with discharges that flow through an outfall assigned a Discharge Serial Number (DSN) shall identify the outfall with an outfall tag. The tag should be attached to an outfall pipe or posted in close proximity of the sampling point of the outfall area. The outfall tag shall be:
  - i. Legible;
  - ii. Located as near to the end of the outfall pipe or as near to the sampling point as possible;
  - iii. Made of durable material such as metal; and
  - iv. Maintained on a regular basis, such as cleaned and inspected to ensure that the tag is properly attached.
- b. The outfall tag shall display, at a minimum, the following information:
  - i. The name of the facility where the discharge originates;
  - ii. The NJPDES permit number;
  - iii. The department hotline phone number (877-WARN DEP); and
  - iv. The DSN for that particular outfall.
- c. The monitoring location shall be clearly delineated and include the information from b above, in as close proximity as practicable, avoiding hazardous conditions.

#### **2. *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 this permit" within the meaning of the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11c.

### **3. Notification of Changes**

a. The permittee shall give written notification to the Department of any planned physical or operational alterations or additions to the permitted facility when the alteration or addition is expected to result in a significant change in the permittee's discharge and/or residuals use or disposal practices including the cessation of discharge in accordance with N.J.A.C. 7:14A-6.7.

### **4. Record Keeping Requirements**

a. The permittee shall retain records of all Discharge Monitoring Reports (DMRs), laboratory analysis sheets with chain of custody, the Drainage Control Plan and copies of all reports required by this permit, for a period of at least five (5) years.

### **5. Other Discharges**

a. If, at any time, it is discovered that the facility generates and discharges to surface waters or ground waters any wastewater (such as boiler blowdown, steam or air compressor condensate, vehicle wash water, etc.) other than those discharges specifically authorized by this permit, the permittee shall discontinue any such discharge and apply for the appropriate NJPDES DSW or DGW permit in accordance with N.J.A.C. 7:14A.

b. Any septic systems, disposal beds, seepage pits (dry wells), or cesspools found to receive discharges of industrial waste are considered to be Class IV wells and are prohibited pursuant to N.J.A.C. 7:14A-8.4. All such discharges shall be discontinued immediately.

### **6. Construction Activities**

a. This permit does not authorize "stormwater discharges associated with industrial activity" from construction activity that disturbs one (1) acre or more or "stormwater discharges associated with small construction activity" as defined in N.J.A.C. 7:14A-1.2. In general, this is the discharge to surface water of stormwater from construction activity that disturbs at least one (1) or more acres. Any facility that operates a construction site with such a discharge shall submit a separate RFA or individual permit application for that discharge. An RFA submitted for the Hot-Mix Asphalt Producers Stormwater General Permit does not qualify as an RFA for such a discharge.

i. Authorization shall be obtained under NJPDES Permit No. NJ0088323 (General Stormwater Permit Construction Activity) for stormwater discharges to surface water from construction activities disturbing one (1) or more acre(s) of total land area.

## ***7. Extension of Permit Deadlines***

- a. The Department may grant up to a twelve (12) month extension to the deadline to implement an 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.

## **D. Additional Requirements Incorporated By Reference**

### ***1. Stormwater Discharge Requirements***

- a. In addition to the conditions in Part I of this permit, the conditions in this section are applicable to activities at the permitted location and are incorporated by reference. The permittee is required to comply with the regulations, which are in effect as of the effective date of this final permit.
  - i. Conditions for General permits at N.J.A.C. 7:14A-6.13.
  - ii. Procedures and conditions applicable to certain stormwater discharges at N.J.A.C. 7:14A-24.
  - iii. Procedures and conditions applicable to discharges to ground water at N.J.A.C. 7:14A-7.
  - iv. Requirements for Underground Injection Control (UIC) Program at N.J.A.C. 7:14A-8.4, 8.9, and 8.16.

## PART III LIMITS AND MONITORING REQUIREMENTS

**MONITORED LOCATION:** OTFL Stormwater DSW      **RECEIVING STREAM:**      **STREAM CLASSIFICATION:**      **DISCHARGE CATEGORY(IES):** Hot-Mix Asphalt Producers (GP)

**Contributing Waste Types**  
Storm Water Runoff

**Surface Water DMR Reporting Requirements**

Beginning January 1, 2010 for “Existing Permittees”. Beginning 24 months after Effective Date of Permit Authorization for “New Permittees”. Upon the Effective Date of Permit Authorization for “New Operations”. Submit a Quarterly DMR: due 25 calendar days after the end of each quarter.

**Table III – A – 1: Surface Water DMR Limits and Monitoring**

**PHASE:** Final      **PHASE Start Date:**      **PHASE End Date:**

Parameter	Sample Point	Limit	Limit	Units	Limit	Limit	Limit	Units	Frequency	Sample Type
pH January thru December	Effluent Gross Value	****	****	****	REPORT Daily Minimum	****	REPORT Daily Maximum	SU	1/Quarter	Grab
	QL	***	***		***	***	***			
Solids, Total Suspended January thru December	Effluent Gross Value	****	****	****	****	REPORT Monthly Average	REPORT Daily Maximum	MG/L	1/Quarter	Grab
	QL	***	***		***	***	***			
Chemical Oxygen Demand (COD) January thru December	Effluent Gross Value	****	****	****	****	REPORT Monthly Average	REPORT Daily Maximum	MG/L	1/Quarter	Grab
Surfactants (mbas) January thru December	Effluent Gross Value	****	****	****	****	REPORT Monthly Average	REPORT Daily Maximum	MG/L	1/Quarter	Grab
	QL	***	***		***	***	***			

**Surface Water DMR Reporting Requirements**

Beginning January 1, 2010 for “Existing Permittees”. Beginning 24 months after Effective Date of Permit Authorization for “New Permittees”. Upon the Effective Date of Permit Authorization for “New Operations”. Submit a Quarterly DMR: due 25 calendar days after the end of each quarter.

**Table III – A – 1: Surface Water DMR Limits and Monitoring**  
**PHASE: Final PHASE Start Date: PHASE End Date:**

Parameter	Sample Point	Limit	Limit	Units	Limit	Limit	Limit	Units	Frequency	Sample Type
TPH-DRO (diesel range organics-extended range) January thru December	Effluent Gross Value	****	****	****	****	REPORT Monthly Average	REPORT Daily Maximum	MG/L	1/Quarter	Grab
	QL	***	***		***	***	***			
TPHC January thru December	Effluent Gross Value	****	****	****	****	10 Monthly Average	15 Daily Maximum	MG/L	1/Quarter	Grab
	QL	***	***		***	***	***			
Chromium, Total (as Cr) January thru December	Effluent Gross Value	****	****	****	****	REPORT Monthly Average	REPORT Daily Maximum	UG/L	1/Quarter	Grab
	QL	***	***		***	***	***			
Benzene January thru December	Effluent Gross Value	****	****	****	****	REPORT Monthly Average	REPORT Daily Maximum	UG/L	1/Quarter	Grab
	QL	***	***		***	***	***			
Lead, Total (as Pb) January thru December	Effluent Gross Value	****	****	****	****	REPORT Monthly Average	REPORT Daily Maximum	UG/L	1/Quarter	Grab
	QL	***	***		***	***	***			
Dissolved Solids, Total (as TDS) January thru December	Effluent Gross Value	****	****	****	****	REPORT Monthly Average	REPORT Daily Maximum	MG/L	1/Quarter	Grab
	QL	***	***		***	***	***			

**MONITORED LOCATION:** I01I Stormwater DGW      **RECEIVING STREAM:**      **STREAM CLASSIFICATION:**      **DISCHARGE CATEGORY(IES):** Hot-Mix Asphalt Producers (GP)

**Contributing Waste Types**  
 Storm Water Runoff

**Ground Water DMR Reporting Requirements**

Beginning January 1, 2010 for “Existing Permittees”. Beginning 24 months after Effective Date of Permit Authorization for “New Permittees”. Upon the Effective Date of Permit Authorization for “New Operations”. Submit a Quarterly DMR: due 25 calendar days after the end of each quarter.

**Table III – A – 1: Ground Water DMR Limits and Monitoring**

**PHASE:** Final      **PHASE Start Date:**      **PHASE End Date:**

Parameter	Sample Point	Limit	Limit	Units	Limit	Limit	Limit	Units	Frequency	Sample Type
pH  January thru December	Effluent Gross Value	****	****	****	6.5 Daily Minimum	****	8.5 Daily Maximum	SU	1/Quarter	Grab
	QL	***	***		***	***	***			
Lead, Total (as Pb)  January thru December	Effluent Gross Value	****	****	****	****	REPORT Monthly Average	REPORT Daily Maximum	UG/L	1/Quarter	Grab
	QL	***	***		***	***	***			
Benzene  January thru December	Effluent Gross Value	****	****	****	****	REPORT Monthly Average	REPORT Daily Maximum	UG/L	1/Quarter	Grab
	QL	***	***		***	***	***			

**Ground Water DMR Reporting Requirements**

Beginning 24 months after Effective Date of Permit Authorization (except for “New Operations” as defined by this permit). Submit a Quarterly DMR: due 25 calendar days after the end of each quarter.

**Table III – A – 1: Ground Water DMR Limits and Monitoring**

**PHASE:** Final                      **PHASE Start Date:**                      **PHASE End Date:**

Parameter	Sample Point	Limit	Limit	Units	Limit	Limit	Limit	Units	Frequency	Sample Type
TPH-DRO (diesel range organics-extended range) January thru December	Effluent Gross Value	****	****	****	****	REPORT Monthly Average	REPORT Daily Maximum	MG/L	1/Quarter	Grab
	QL	***	***		***	***	***			
TPHC January thru December	Effluent Gross Value	****	****	****	****	10 Monthly Average	15 Daily Maximum	MG/L	1/Quarter	Grab
	QL	***	***		***	***	***			
Chromium, Total (as Cr) January thru December	Effluent Gross Value	****	****	****	****	REPORT Monthly Average	REPORT Daily Maximum	UG/L	1/Quarter	Grab
	QL	***	***		***	***	***			
Copper, Total (as Cu) January thru December	Effluent Gross Value	****	****	****	****	REPORT Monthly Average	REPORT Daily Maximum	UG/L	1/Quarter	Grab
	QL	***	***		***	***	***			

**PART IV**  
**SPECIFIC REQUIREMENTS: NARRATIVE**  
**Notes and Definitions**

**A. Notes and Definitions**

**1. Footnotes**

a. Below are additional permit requirements that relate to the Limits and Monitoring Requirements contained in Part III of this permit:

- i. Pursuant to N.J.A.C. 7:14A-12.6 the discharge of foam or causing foaming of the receiving water is prohibited if the foam creates objectionable deposits, forms floating masses, produces an objectionable color or odor, or interferes with designated uses.
- ii. Pursuant to N.J.A.C. 7:14A-12.8(c) dischargers shall limit the oil and grease effluent content so that such effluent does not exhibit a visible sheen.
- iii. The parameter Total Petroleum Hydrocarbons (TPHC) shall be analyzed using E.P.A. Method 1664A SGT-HEM; nonpolar material.
- iv. Reporting guidelines are contained in the latest edition of the Department's "Discharge Monitoring Report (DMR) Reference Manual" (<http://www.state.nj.us/dep/dwq/techman.htm>).
- v. Grab sample shall be collected at designated sampling points and shall be collected within 30 minutes of the stormwater discharge or as soon thereafter as practicable. Sampling guidelines are contained in the latest edition of the "NJDEP Field Sampling Procedures Manual".
- vi. pH analysis shall be performed by a certified facility or laboratory. pH holding time cannot exceed 15 minutes. A permittee may become certified through the Office of Quality Assurance's (OQA's) Environmental Laboratory Certification Program (ELCP) to perform pH analyses in the field.
- vii. If "cold patch" is not stored onsite anytime during the monitoring period than monitoring for the parameter benzene is not required and CODE=N may be reported on the appropriate DMR.
- viii. If anionic surfactants are not stored or used onsite anytime during the monitoring period than monitoring for the parameter surfactants (mbas) is not required and CODE=N may be reported on the appropriate DMR.

**2. Definitions**

- a. The definitions set forth in N.J.A.C. 7:14A-1.2 and DMR Reference Manual are incorporated into this permit by reference.
- b. The following definitions apply to this permit:
  - i. "Benchmark" or "Benchmarks" are the pollutant concentration above which a stormwater discharge could potentially impair, or contribute to impairing, water quality or affect human health from ingestion of water or fish. Benchmarks also provide an appropriate level to determine whether a facility's stormwater pollution prevention measures are successfully implemented. Benchmarks become effluent limitations if monitoring results exceed the benchmark value pursuant to Part IV.C.3(c).

- ii. "Design criteria" is a pollutant concentration that the Department has determined that when exceeded represents a level of concern. Design criteria are established as "design goals" for Best Management Practices (BMPs) and/or water treatment, and are not established as numeric effluent limitations.
- iii. "Effective Date of Permit Authorization" means the date an individual facility's authorization to discharge under the Hot-Mix Asphalt Producers Stormwater General Permit (NJ0132721) becomes effective. The Effective Date of Permit Authorization is found on the facility's authorization page.
- iv. "Effluent Limitation" means any restriction on quantities, quality, discharge rates and concentration of chemical, physical, thermal, biological, radiological, and any other constituents of pollutants established by permit, or imposed as an interim effluent limit pursuant to an administrative order, including an administrative consent order.
- v. "Existing Discharge" means a discharge(s) of stormwater associated with the regulated industrial activity from a hot-mix asphalt producer that has already commenced operations.
- vi. "Existing Permittee" means a facility that was authorized under the Hot-Mix Asphalt Producers Stormwater General Permit (NJ0132721) on April 30, 2009.
- vii. "Hazardous pollutant" means any toxic pollutant; any hazardous substance as defined by the New Jersey Spill Compensation and Control Act, N.J.S.A. 58:10-23.11; any substance regulated as a pesticide under the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. §§136 et seq.; any substance the use or manufacture of which is prohibited under the Federal Toxic Substances Control Act, 15 U.S.C. §§2601 et seq.; any substance identified as a known carcinogen by the International Agency for Research on Cancer; and/or any hazardous waste designated pursuant to the New Jersey Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. or the Federal Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq.
- viii. "Infiltration Basin" means a structural best management practice within highly permeable soils that provides temporary storage of stormwater.
- ix. "Monitoring location" means a discrete point where a representative stormwater sample can be taken.
- x. "Municipal separate storm sewer" means a conveyance or system of conveyances owned or operated by the United States, an interstate agency, a State, city, town, borough, county, or other public body used for collecting or conveying stormwater, that discharges to surface water or groundwater and is not a combined sewer or part of a Publicly Owned Treatment Works (POTW).
- xi. "New Operation" means a hot-mix asphalt producer that has yet to commence the discharge of stormwater associated with the regulated industrial activity.
- xii. "New permittee" means an existing hot-mix asphalt producer with a stormwater discharge associated with the regulated industrial activity that has already commenced operations and was not authorized under the Hot-Mix Asphalt Producer Stormwater General Permit on May 1, 2009.
- xiii. "Non-hazardous pollutant" means a pollutant which is not hazardous.
- xiv. "Outfall" means the point where a facility discharges stormwater to surface water or the point where the discharge connects to another stormwater system which ultimately

discharges to surface water.

xv. "Permitted outfall" means an outfall specifically authorized under this general permit to discharge stormwater associated with the regulated industrial activity. Stormwater discharged through a permitted outfall shall meet the effluent limitations contained in Part III of the permit. All permitted outfalls shall be identified in the Drainage Control Plan.

xvi. "RAP" means recycled or reclaimed asphalt pavement.

xvii. "Regulated Industrial Activity" means any activity, which is directly related to the manufacturing, processing, transfer and/or storage of materials at the permitted industrial facility.

xviii. "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.

## Hot-Mix Asphalt Producers (GP)

### A. Permit Conditions

#### 1. Permit Overview / Performance Standards

a. The permittee shall develop, implement, update and maintain a Stormwater Pollution Prevention Plan (SPPP), which includes a site specific Drainage Control Plan and a written description of how the facility will implement each Best Management Practice (BMP).

i. The Drainage Control Plan shall ensure that all “stormwater associated with the regulated industrial activity” as defined in N.J.A.C. 7:14A-1.2, is directed to an outfall that discharges to surface water or to an infiltration basin that discharges to ground water (see Part IV.B).

b. All stormwater associated with the regulated industrial activity discharged to surface water shall be through a permitted outfall(s). All stormwater associated with the regulated industrial activity discharged to surface water shall be monitored on a quarterly basis (except if mandatory monthly monitoring is triggered) and shall meet the effluent limitations and benchmarks as specified in the permit. (see Part III, Table 1 and Part IV.C).

c. Design criteria are provided by the Department to assist the permittee with selecting and designing appropriate BMPs and gauging the effectiveness of those BMPs once implemented (see Part IV.C).

d. The permittee shall implement the industry specific BMPs contained in the permit and any additional BMPs, including treatment, to ensure compliance with the permit (see Part IV.E).

e. All stormwater associated with the regulated industrial activity discharged to ground water shall be through an engineered infiltration basin designed to hold the volume of at least a two (2) year, twenty-four (24) hour storm event volume within seventy-two (72) hours. The permittee shall monitor all stormwater influent to the infiltration basin (if applicable) at a minimum of once per quarter and meet the groundwater limitations specified in the permit. (See Part III, Table 2 and Part IV.D).

i. The permit does not authorize the discharge of stormwater associated with regulated industrial activity to ground water through any mechanism other than those described above.

ii. Incidental flow of stormwater over unpaved areas (defined in Part IV.B.2.c) within the drainage control area is not considered a discharge to ground water.

### B. Stormwater Pollution Prevention Plan

#### 1. SPPP Minimum Requirements

a. The SPPP shall include a written description of all areas and activities that may impact stormwater quality, including but not limited to:

- i. Petroleum storage;
- ii. Fuel storage;
- iii. Recycled Asphalt Pavement storage;
- iv. Aggregate storage;
- v. Recycled concrete, concrete block and brick crushing and storage;

- vi. Cold patch storage;
  - vii. Release agent storage and application;
  - viii. Vehicle and equipment maintenance and fueling
  - ix. Vehicle and equipment washing and proper wash water management;
  - x. Waste management and handling;
  - xi. Equipment storage of (e.g., scrap metal, parts inventory, and drums);
  - xii. Pavement and access roads;
  - xiii. Site stability (to prevent erosion and discharge of solids, soils and/or sediments);
  - xiv. Above ground storage tanks
  - xv. Vehicle tracking and dust control; and
  - xvi. Any other areas and activities associated with the regulated industrial activity.
- b. The SPPP shall identify and discuss BMPs, proposed and implemented, to address all areas identified above.
- c. The SPPP shall identify and discuss the mandatory BMPs (see Part IV.E) required to be implemented at the facility.
- d. The SPPP shall identify and discuss any stormwater treatment proposed or implemented at the facility.
- e. The SPPP shall include an implementation schedule for each BMP identified within the SPPP.
- f. The SPPP shall discuss required maintenance and maintenance schedules for BMPs and any stormwater treatment.
- g. The SPPP shall include a Drainage Control Plan.
- h. The SPPP shall demonstrate and ensure that the stormwater discharges associated with the regulated industrial activity meet the permit conditions contained in Part III and Part IV of this permit.
- i. The SPPP shall be prepared and implemented in accordance with good engineering practices.
- j. The SPPP shall be retained at the facility for use by the facility and inspection by the Department.

## ***2. Elements of a Drainage Control Plan***

- a. Drainage control shall be established in all areas where the regulated industrial activity occurs including, but not limited to, the hot-mix plant and any other process area, aggregate storage, RAP storage and recycled concrete, concrete block and brick storage.
- b. All stormwater associated with the regulated industrial activity shall be discharged through a permitted outfall(s) to surface water or to a monitoring location directly prior to an infiltration basin.
- c. A representative monitoring location shall be established for each regulated outfall(s) and/or infiltration basin;
- d. Impervious pavement shall be installed in the following areas:

- i. access roads;
  - ii. asphalt loading areas;
  - iii. fueling areas;
  - iv. hot-mix plant;
  - v. maintenance areas;
  - vi. chemical storage areas;
  - vii. cold patch storage areas;
  - viii. release agent application areas; and
  - ix. contaminated soil stockpile areas.
- e. The following areas, within the area of drainage control, may remain unpaved:
- i. Recycled Asphalt Pavement (“RAP”) storage;
  - ii. aggregate storage;
  - iii. recycled concrete, concrete block and brick crushing and storage; and
  - iv. cullet storage.
- f. Overland flow of stormwater over unpaved areas within the drainage control area is not considered a discharge to groundwater due to the general imperviousness of those unpaved areas.
- g. Separate the discharge of stormwater not associated with the regulated industrial activity (e.g., rooftop runoff, employee parking) from regulated discharges.
- h. In areas where industrial activity occurs, that cannot be diverted to a permitted outfall, the permittee shall eliminate industrial activity in those areas.

### **3. *Drainage Control Plan***

- a. The facility shall prepare and implement a Drainage Control Plan, which is composed of:
- i. A written narrative; and
  - ii. A Drainage Control Map.
- b. A New Jersey licensed Professional Engineer shall certify the Drainage Control Plan.
- c. Elevations for the drainage control map shall be measured by a New Jersey licensed Professional Land Surveyor.
- d. The written narrative shall include the following:
- i. Facility name;
  - ii. New Jersey Pollutant Discharge Elimination System (NJPDES) permit authorization number (NJ0163261) and Program Interest I.D. number;
  - iii. An alpha-numeric Discharge Serial Number(DSN) (e.g., DSN001A, DSN002A, DSN003A) for each surface water monitoring location(s);
  - iv. An alpha-numeric identifier (e.g., I01I, I02I, I03I) for each ground water monitoring location into an infiltration basin(s);
  - v. The latitude and longitude for each monitoring location(s);

- vi. The name of all receiving water bodies (for discharges to surface water) and assigned New Jersey Surface Water Quality Standards' classifications;
  - vii. The name of the receiving aquifer (for discharges to ground water) and assigned New Jersey Ground Water Quality Standards' classification;
  - viii. A description of how the facility will establish drainage control;
  - ix. A description of any proposed stormwater treatment; and
  - x. A schedule with specific timeframes and interim milestones for implementing all elements of the Drainage Control Plan. The schedule cannot extend beyond twenty-four (24) months from the effective date of permit authorization.
- e. The Drainage Control Map shall be on a scale of 1 inch = 100 feet or larger (more detailed), and shall be legible and clearly depict the following information:
- i. Site boundary;
  - ii. Title block containing tax block and lot number;
  - iii. North directional arrow;
  - iv. Date prepared and date of any subsequent revision(s);
  - v. A legend using standard symbols;
  - vi. The location of each regulated outfall;
  - vii. The proposed monitoring location (monitoring locations shall be before the stormwater commingles with any other waste stream, body of water or substance) and assigned discharge serial number for each regulated outfall;
  - viii. Location of any infiltration basin(s);
  - ix. The proposed monitoring location and assigned identifier for each regulated infiltration basin(s), if applicable;
  - x. Proposed drainage areas, including flow and drainage patterns;
  - xi. Final grading of drainage areas, including elevations and flow arrows showing the drainage to regulated outfall(s);
  - xii. Flow diversion structures (e.g., swales, berms, embankments);
  - xiii. Any proposed treatment units;
  - xiv. Receiving water bodies and name;
  - xv. Existing buildings and other structures;
  - xvi. All areas of regulated industrial activity, as well as the location of materials storage associated with the regulated industrial activity
  - xvii. Access roads; and
  - xviii. Employee and customer parking.

#### **4. Modification of Existing SPPP**

- a. Existing permittees shall modify their SPPP to include all mandatory BMPs in Part IV.E and a Drainage Control Plan that meets the revised Drainage Control requirements in Part IV.B.2.

- b. Existing permittees shall modify their SPPP within six (6) months from the effective date of the permit authorization.
- c. The permittee shall implement the revised SPPP in accordance with the following schedule:
  - i. Mandatory BMPs in accordance with the implementation schedules in Part IV.E; and
  - ii. Drainage Control Plan within six (6) months from the effective date of permit authorization.
- d. Existing permittees that require additional time to implement the mandatory BMPs or the revised Drainage Control Plan should contact the appropriate Bureau of Water Compliance and Enforcement.
  - i. Implementation schedules contained in this permit may only be extended if Federal, State and local permits and approvals necessary for the construction of BMPs identified in the SPPP could not with due diligence be obtained in accordance with Part II.C.7 of this permit.

### **C. Discharges to Surface Water (if applicable)**

#### ***1. Stormwater Discharges to Surface Water***

- a. All stormwater discharges associated with the regulated industrial activity, and discharged to surface water shall be monitored on a quarterly basis as per Part III, Table III-A-1.
- b. If monitoring results exceed the benchmarks or effluent limitation(s) in Part III of the permit, the permittee shall:
  - i. Evaluate potential sources of the pollutant that exceeded the benchmarks or effluent limitations;
  - ii. Identify and implement BMPs (e.g. source control, operational control, stormwater treatment) which may further reduce stormwater contamination; and
  - iii. Update the SPPP with improvements or changes.

#### ***2. Effluent Limitations***

- a. The permittee shall implement the BMPs contained in Part IV.E and implement any additional BMPs, including treatment if necessary, to achieve the following effluent limitation(s):
  - i. Total Petroleum Hydrocarbons (TPHC)  
10 mg/L (monthly average) and 15 mg/L (daily maximum).
  - ii. The parameter Total Petroleum Hydrocarbons (TPHC) shall be analyzed using E.P.A. Method 1664A SGT-HEM; nonpolar material.

#### ***3. Benchmarks***

- a. The permittee shall implement the BMPs contained in Part IV.E and any additional BMPs, including treatment if necessary, to achieve the following benchmarks:
  - i. Suspended Solids, Total 100 mg/L (monthly average);
- b. If stormwater analytical results exceed the benchmark for a parameter, at the same monitoring location, by 20 percent or more for a hazardous pollutant or by 40 percent or more for a non-hazardous pollutant in any two (2) quarters within four (4) consecutive quarters, benchmarks will automatically become effluent limitations for that parameter and shall take effect the next quarter.

- i. A benchmark that becomes an effluent limitation will automatically revert back to a benchmark, the next quarter, if analytical results are below the effluent limitation for that parameter, at the same monitoring location, for two (2) consecutive quarters.

#### **4. Monitor Only**

a. The parameters listed below represent parameters the Department has determined are pollutants of concern. These parameters shall be monitored in accordance with Part III Table III-A-1.

- i. pH;
- ii. Chemical Oxygen Demand (COD);
- iii. Surfactants (mbas);
- iv. Petroleum Hydrocarbons, Total – Diesel Range Organics (Extended Range);
- v. Chromium, Total
- vi. Lead, Total; and
- vii. Benzene;

#### **5. Mandatory Monthly Monitoring**

a. In accordance with N.J.A.C. 7:14A-6.5(d), the Department shall automatically adjust a permittee's effluent monitoring and reporting frequency to monthly when the permittee:

- i. Reports effluent values that would make the permittee a serious violator, as defined in N.J.S.A. 58:10A-3v, for one or more parameters for which the permittee is required to report less frequently than monthly. Monthly reporting is only required for parameters with serious violations; or
- ii. Fails to submit a completed Discharge Monitoring Report (DMR).

b. The monthly reporting shall begin the first month after the submission of the DMR or the month in which the permittee was required to submit the completed DMR to the Department which results in the permittee becoming a serious violator. If the Department grants an affirmative defense pursuant to N.J.A.C. 7:14-8.3(i) for an effluent violation, the violation shall not be considered a serious violation and shall not be subject to monthly reporting under as stated above.

c. Any permittee required to adjust its monitoring and reporting shall continue this monthly schedule until the permittee has submitted six (6) consecutive monthly DMRs which show compliance with the particular serious violation parameter at the particular discharge point, at which time the permittee may resume the original schedule in its permit.

### **D. Discharges to Ground Water (if applicable)**

#### **1. Stormwater Discharges to Ground Water**

a. Stormwater associated with the regulated industrial activity may only be discharged to ground water through an infiltration basin designed to infiltrate the total runoff volume of at least a two (2) year, twenty-four (24) hour storm event within seventy-two (72) hours.

- i. Stormwater runoff volumes are to be calculated using the National Oceanic and Atmospheric Administration's (NOAA's) National Weather Service Rainfall Data for the facility's specific location.

- ii. Stormwater may be infiltrated to ground water by utilizing one or more infiltration basin(s). However, the influent to each infiltration basin shall be monitored and meet Ground Water Quality Criteria contained in Part III, Table III-B-1.
- iii. The infiltration basin shall be designed consistent with the most recent edition of the "New Jersey Stormwater Best Management Practices Manual".
- iv. Discharges from an infiltration basin (overflow) resulting from stormwater runoff volume generated from a storm event greater than a two (2) year, twenty-four (24) hour storm event shall not be considered a violation of this permit.
- v. Discharges from an infiltration basin (overflow) resulting from stormwater runoff volume generated from any storm event less than a two (2) year, twenty-four (24) hour storm event is a violation of this permit.
- b. Existing infiltration basins that were put into operation prior to May 1, 2009 may be used only if the permittee can demonstrate that the infiltration basin can infiltrate the total runoff volume of at least a two (2) year, twenty-four (24) hour storm event within seventy-two (72) hours.
- i. Calculations must be provided to the Department as part of the original or revised Drainage Control Plan and kept on-site indicating sufficient volume within the basin to hold the design storm.
- ii. The infiltration basin may not have standing water within the basin more than 72 hours after a two (2) year, twenty-four (24) hour storm event.
- c. This permit only authorizes discharges to ground water from an infiltration basin designed in accordance with Part IV.D.1.a. and b. above. This permit does not authorize any other discharges to ground water, including stormwater or any process wastewater via any other mechanism.

## ***2. Construction Requirements for New or Upgraded Basins***

- a. All basins shall be constructed, maintained, and operated to prevent overtopping and/or side wall failure.
- b. All interconnections between basins shall be constructed in a manner that will prevent degradation of the basin system. The use of splash aprons, rip-rap, etc, shall be employed in areas subject to influent flow. Whenever possible, all flow shall be directed along the longest axis of the basin(s).
- c. During construction and installation, soil based and admixed liners shall be inspected for imperfections including lenses, cracks, channels, holes, thin spots, or other imperfections. After construction has been completed, a final inspection shall be conducted prior to integrity testing. In cases where imperfections are found, the permittee shall make corrections prior to initiating discharges to a lined basin.
- d. The foundation, banks and dikes shall be inspected immediately after installation for any imperfections. The structural integrity of the basin shall be certified by the signature and seal of a New Jersey licensed Professional Engineer. When a basin is lined, the foundation, banks, and dikes shall be constructed to support and prevent failure of the liner.

## ***3. Operation and Maintenance Manual***

- a. All facilities with discharges to ground water shall prepare an Operation and Maintenance (O&M) Manual within 90 days of the commencement of operation of the infiltration basin(s).
- i. The O&M manual shall be kept on site and made available for inspection.

- b. The following items should be addressed in the facility's O & M manual:
- i. a schedule of physical inspections of all visible portions and areas surrounding the basin unit(s) to: Ensure that the berms have remained structurally sound; Detect evidence of any deterioration, breakout, malfunctions or improper operation of the over-topping system; Detect sudden drops in the level of the basin contents not associated with normal operation of the regulated unit; Detect erosion or other signs of deterioration in berms or other containment devices; Detect the presence of liquids in the leak detection system, if employed;
  - ii. a protective cover shall be maintained on earthen dikes to prevent erosion and maintain integrity. However, the dikes shall be free of vegetation having invasive root systems that could displace the earthen materials upon which the structural integrity of the dike is dependent;
  - iii. evaluate the basins actual performance by comparing the designed infiltration rate to the time it takes to infiltrate the maximum design storm runoff volume. If significant increases or decreases in the normal drain time are observed, the basin's bottom surface, subsoil, and both groundwater and tailwater levels shall be evaluated and appropriate measures taken to comply with the maximum drain time requirements and maintain the proper functioning of the basin. This applies to both surface and subsurface infiltration basins;
  - iv. the bottom sand layer in a surface infiltration basin should be inspected at least monthly as well as after every storm exceeding one (1) inch of rainfall;
  - v. the permeability rate of the soil below the basin shall be tested annually;
  - vi. if the water fails to infiltrate seventy-two (72) hours after the end of the storm, corrective measures shall be taken including, but not limited to annual tilling by light equipment to maintain infiltration capacity and break up clogged surfaces; and
  - vii. a course of action shall be outlined for procedures to be implemented in the event the basin shall be removed from service for an extended period of time for reasons other than routine maintenance and/or scheduled rotation of permitted discharge areas. This course of action shall address how the discharge will be handled which can include diversion of the discharge to a previously approved reserve area.

#### **4. Basin General Conditions**

- a. If the basin was removed from service due to actual or imminent bank or side wall failure, a New Jersey licensed Professional Engineer shall certify by signature and seal the structural integrity of the bank and side wall prior to redirection of flow to the basin. Said certification shall be received by the Department prior to the resumption of discharge to the basin.
- b. If a basin was inactive for more than six (6) months due to structural collapse or overtopping, the permittee shall obtain a certification from a New Jersey licensed Professional Engineer that it is structurally sound. The certification shall be signed and sealed by the New Jersey licensed Professional Engineer and shall establish that the banks, dikes, and foundation of the basin will withstand the physical and chemical stresses of resumed operation. If the basin is lined, the certification shall also state that the lined basin will not discharge to ground water.
- c. If the original basin system or portions thereof were insufficient or inadequate, the permittee shall propose a new upgraded system. A new site plan shall be submitted along with any necessary revisions to the O & M Manual.

- d. The basin may not become operational unless all inspections and necessary repairs have been completed.
- e. If the facility changes the size or number of basins, or if the facility installs, removes, or modifies basin liners, it is the responsibility of the permittee to establish new appropriate monitoring locations as needed, and to notify the Department in writing regarding facility changes. This does not waive the requirement for the permittee to obtain additional Department approvals where necessary.

## **E. Mandatory Best Management Practices**

### **1. Best Management Practices**

- a. The following Best Management Practices (BMPs) shall be implemented by the permittee within the specified implementation schedule. If the facility does not conduct the regulated activity, then the BMP is not required.
  - i. Guidance on BMPs can be found in the Department's *Hot-Mix Asphalt Producer Stormwater General Permit Guidance Document*.
- b. A facility may not substitute an alternate BMP for any of the BMPs listed below, even if they believe the BMP achieves the same level of protection.
  - i. The facilities may implement other BMPs in addition to the mandatory BMPs contained in this permit.
- c. Implementing the mandatory BMPs listed below does not assure compliance with the minimum performance standards, effluent limitations or benchmarks contained in this permit.
  - i. To meet the minimum performance standards, effluent limitations, and/or benchmarks a facility may need to implement any additional BMPs, including possible treatment of stormwater runoff up to the design storm.

### **2. Spill Prevention and Response**

- a. Minimum Performance Standard – The permittee shall develop, implement and maintain a Spill Prevention and Response Plan. A valid SPCC or DPCC plan shall satisfy this requirement as long as the plan applies to all fluids that potentially could leak or spill at the facility. At minimum, the plan shall ensure:
  - i. There are no visible spills and/or leaks onsite;
  - ii. Any spilled fluids and/or leaks are cleaned immediately; and
  - iii. Fully stocked spill kits are located in all areas of the facility where there is a potential for spills.
- b. Implementation Schedule - Within six (6) months from the effective date of permit authorization and thereafter, the facility shall have implemented a Spill Prevention and Response Plan in accordance with the Spill Prevention and Response Minimum Performance Standard.

### **3. Concrete, Concrete Block and Brick Recycling - Inbound Quality Control**

- a. Minimum Performance Standard - All facilities which accept recycled concrete, concrete block and brick shall have a Class B Recycling Permit issued by the Department and shall have an inbound quality control program which includes:
  - i. Posting visible signs at all entrances to the facility used by suppliers notifying suppliers of prohibited materials;

- ii. Prohibits the following materials;  
Free flowing liquids, construction waste such as trash, wood, and paper, hazardous materials, radioactive materials, contaminated concrete, concrete sealer, and any other materials that the facility is prohibited from accepting under their Class B permit;
- iii. Inspections of all incoming loads conducted prior to and after unloading. Trained inspectors shall be available at all times inbound materials are being accepted;
- iv. Mandatory rejection of any load that contains a prohibited material; and
- v. Providing annual training to all employees who have a role in the inbound quality control program.

b. Implementation Schedule – Within six (6) months from the effective date of the permit authorization and thereafter, the facility shall implement an Inbound Quality Control Program in accordance with the Inbound Quality Control Minimum Performance Standard.

#### **4. Onsite Stability and Erosion Control**

a. Minimum Performance Standard - All facilities shall ensure overall site stability to prevent erosion (splash, sheet, rill and gully erosion) caused by water and/or ice resulting in the transport of solids, soils and/or sediments.

- i. Any paved or unpaved area within the facility found to actively eroding shall be immediately repaired and stabilized.

b. Implementation Schedule - Within six (6) months from the effective date of permit authorization and thereafter, the facility shall ensure overall site stability and repair and stabilize any areas found to be actively eroding in accordance with the Onsite Stability and Erosion Control Minimum Performance Standard.

#### **5. Vehicle Tracking**

a. Minimum Performance Standard - There shall be no visible tracking of soil, sediment or other material outside the drainage control area or from the facility onto municipal, county or state roads.

b. Implementation Schedule - Within six (6) months from the effective date of permit authorization and thereafter, the facility shall ensure that there is no visible tracking of soil, sediment or other material from the facility in accordance with the Vehicle Tracking Minimum Performance Standard.

#### **6. Equipment and Vehicle Washing**

a. Minimum Performance Standard - All facilities shall manage wastewater from the washing of any equipment, vehicles, or buildings, even if the pressure or power washing water does not contain any cleaning additives, to prevent the discharge of the wastewater and any residual materials to the surface and/or ground waters or the State.

- i. This permit only authorizes the discharge of stormwater associated with the regulated industrial activity. This permit does not authorize the discharge of any wastewater including wash water or rinse water.
- ii. The discharge of any wastewater, including wash water or rinse water, to the surface or ground waters of the State requires a separate NJPDES permit authorizing such discharge.

**b. Implementation Schedule**

- i. Within six (6) months effective date of permit authorization and thereafter, the facility shall cease any discharge of wastewater from the washing of any equipment, vehicles, or buildings to the surface and/or ground waters of the State in accordance with the Equipment and Vehicle Washing Minimum Performance Standard.

**7. Preventative Maintenance**

- a. Minimum Performance Standard – The facility shall provide for cleaning and maintenance to ensure the proper function and operation of all stormwater facilities and BMPs.
- b. Implementation Schedule - Within six (6) months from the effective date of permit authorization and thereafter, the facility shall provide for cleaning and maintenance to ensure the proper function and operation of all stormwater facilities and BMPs in accordance with the Preventative Maintenance Minimum Performance Standard.

**F. Monitoring****1. Monitoring Requirements**

- a. The permittee shall monitor stormwater discharges to surface water in accordance with Part III, Table III-A-1.
- b. The permittee shall monitor stormwater influent to the infiltration basin(s) in accordance with Part III, Table III-B-1.

**2. Monitoring Locations**

- a. Facilities shall monitor stormwater discharges to surface or ground water at the monitoring locations specified in the facilities Drainage Control Plan.
  - i. Monitoring locations will also be specified on the DMRs provided by the Department.
  - ii. Monitoring locations shall not be changed without notification and approval from the Department.

**3. Commencement of Monitoring**

- a. Existing permittees shall begin quarterly monitoring of their stormwater discharges on January 1, 2010.
- b. New permittees shall begin quarterly monitoring of their stormwater discharges six (6) months from the effective date of permit authorization.
- c. All facilities with stormwater discharges from “New Operations” shall begin monitoring upon the effective date of permit authorization.

**4. Collection and Analysis of Samples**

- a. The permittee shall monitor at minimum one (1) storm event that produces a stormwater discharge during each monitoring period.
  - i. If the permittee controls the discharge of its stormwater, the facility shall monitor its stormwater at the time of the discharge.
  - ii. If a discharge does not occur during a monitoring period, the permittee should check “No Discharge this monitoring period” on the monitoring form transmittal sheet for each discharge monitoring location, which had “no discharge”.

- b. All sampling will be conducted in accordance with the methods specified in the Department's Field Sampling Procedures Manual.
- c. All samples shall be analyzed in accordance with approved United States Environmental Protection Agency (USEPA) methods contained in 40 CFR Part 136, unless otherwise noted.
- d. The laboratory performing the analyses shall be certified by the Department for the analysis of those specific parameters in accordance with N.J.A.C. 7:18.

## **G. Reporting Requirements**

### **1. Discharge Monitoring Report (DMR) Forms**

- a. Monitoring results shall be reported on DMRs provided by the Department.
  - i. The permittee is required to monitor its stormwater discharge and submit appropriate DMRs to the Department in accordance with conditions of the permit, even if the pre-printed DMRs contain errors.
  - ii. If the facility's pre-printed DMRs contain errors or discrepancies from the monitoring and reporting requirements contained in Part III, the permittee should immediately contact the Bureau of Nonpoint Pollution Control at (609) 633-7021.
  - iii. The permittee shall make hand corrections to the DMRs if corrected forms are not received prior to the monitoring report due date.
- b. Monitoring results shall be reported in accordance with the latest edition of the Department's Monitoring Report Form Reference Manual.

### **2. Reporting "No Discharge"**

- a. If a discharge does not occur during a monitoring period, the permittee should check "No Discharge this monitoring period" on the monitoring form transmittal sheet for each discharge monitoring location, which had "no discharge".

### **3. Mailing Discharge Monitoring Reports**

- a. DMRs shall be postmarked and submitted no later than the 25<sup>th</sup> day of the calendar month following the completed monitoring period to the address below:
  - i. New Jersey Department of Environmental Protection  
Bureau of Permits Management  
P.O. Box 029  
Trenton, New Jersey 08625-0029  
Attn. Monitoring Reports

## **H. Submittal Requirements**

### **1. Drainage Control Plan**

- a. Existing Permittees
  - i. Submit a revised Drainage Control Plan: on or before November 1, 2009.
- b. New Permittees
  - i. Submit a Drainage Control Plan: within six (6) months from the effective date of the permit authorization.

- c. New Operations
- i. A Drainage Control Plan shall be submitted with the facilities Request for Authorization sixty (60) days prior to the commencement of industrial activities.
- d. The facility shall submit the Drainage Control Plan to the Department at the following address:
- i. NJDEP  
Division of Water Quality  
Bureau of Permit Management  
P.O. Box 029  
Trenton, NJ 08625-0029

## **2. Annual Report and Certification**

- a. Annual Inspection
- i. The permittee shall conduct an annual inspection of the facility to assess permit compliance, BMP implementation, and whether additional measures are needed to meet the conditions of this permit.
  - ii. The permittee shall summarize the findings of the annual inspection in an Annual Report and shall include the date of the inspection and the name(s) and title of the inspector(s).
  - iii. The Annual Report shall be submitted with the Annual Certification.
  - iv. More frequent inspections may be necessary to ensure proper function of control measures and BMPs. Inspections should be conducted during dry periods as well as after storm events.
- b. Annual Report and Certification - The permittee shall certify annually on the Department's Generic Certification Form that the facility is in compliance with the permit conditions.
- i. Submit the Generic Certification Form certifying the Annual Inspection was conducted: on May 1, 2010 and annually thereafter.
  - ii. This Generic Certification Form is available on the Department website at <http://www.state.nj.us/dep/dwq/forms.htm#stormforms>.
  - iii. Any incident of non-compliance shall be identified in the Incident of Noncompliance Report, which is part of the Generic Certification Form. This shall include the steps being taken to remedy the non-compliance, and to prevent such incidents from recurring.

## **I. Record Keeping**

### **1. Record Keeping Requirements**

- a. The permittee shall retain records of all monitoring information, maintenance records, and copies of all forms required by this permit for a period of at least five (5) years.

### **2. SPPP Record Keeping Requirements**

- a. The SPPP shall be signed by the permittee, and the original shall be retained at the facility for use by the facility and inspection by the Department.

- b. The SPPP shall be made available, upon request, to a representative of the Department and to the owner and operator of any municipal separate storm sewer receiving the stormwater discharge.
- c. The SPPP shall be made available to the public upon request, except as noted below.
- d. The facility may claim any portion of the SPPP as confidential in accordance with the provisions set forth in N.J.A.C. 7:14A-18.2.