

**NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER QUALITY**

INSTRUCTIONS

Form RFC

This form is solely for NJPDES-DSW individual permit applications for stormwater discharges associated with construction activity. Most persons who require a NJPDES-DSW permit for a stormwater discharge associated with construction activity do not apply for a NJPDES-DSW individual permit for that discharge, but instead request and obtain authorization under the New Jersey Department of Environmental Protection (Department) NJPDES-DSW general permit for such discharges (NJPDES General Permit No. NJ0088323). Do not use this form to request authorization under that general permit.

This form shall accompany all NJPDES-DSW individual permit applications for a stormwater discharge associated with construction activity (including construction activity described under paragraph 1x of the N.J.A.C. 7:14A-1.2 definition of “stormwater discharge associated with industrial activity,” or under the N.J.A.C. 7:14A-1.2 definition of “stormwater discharge associated with small construction activity”), unless the stormwater discharge is mixed with:

- 1. One or more other kinds of “stormwater discharge associated with industrial activity” as defined at N.J.A.C. 7:14A-1.2 — instead submit Form RF with the application (or Form C or Form A as described below).*
- 2. An industrial nonstormwater discharge that requires a NJPDES-DSW permit — instead submit Form C with the application. (For purposes of page 1 of these instructions, “industrial nonstormwater discharge” does not include any discharge for which you have authorization under NJPDES General Permit No. NJ0134511 for Construction Dewatering Discharges.)*
- 3. Domestic sewage — instead submit Form A with the application. (Note also that a stormwater discharge to any conveyance that leads to a domestic treatment works (DTW) does not require a NJPDES-DSW permit.)*
- 4. An industrial nonstormwater discharge that requires a NJPDES-DSW permit, and is also mixed with domestic sewage — instead submit with the application Form C if the mixed discharge is primarily industrial, or Form A if the mixed discharge is primarily domestic.*

Note also that under N.J.A.C. 7:14A-24.7(a)5, the Department may require you to supplement Form RFC with additional information, which may include for example, all or part of the information required in Form RF.

In some instances, post-construction stormwater discharge from a constructed facility also requires a NJPDES permit (e.g., for post-construction “stormwater discharge associated with industrial activity” as defined at N.J.A.C. 7:14A-1.2). Do not use Form RFC to apply for a NJPDES permit for a post-construction stormwater discharge.

Item 1 - Provide the name of your facility as it appears in Item 3 of the NJPDES - 1 Form. (Also provide this name on the top of each page of Form RFC.)

Item 2 - If this application is for renewal, revocation and reissuance, or major modification of an existing NJPDES permit, provide the NJPDES permit number of that permit. If this is an application for a new NJPDES permit, leave Item 2 blank.

Item 3A - Attach one or more Stormwater Pollution Prevention Plan (SPPP) site map(s) of your facility that distinctly mark the facility boundaries, and clearly and legibly contain the following information:

- Areas of land disturbance (existing and proposed);
- Areas where land will not be disturbed;
- Approximate location of the kinds of soil present (for most New Jersey counties, you may mark the facility boundaries on a copy of a detailed soil map published by the U.S. Department of Agriculture);
- Existing and proposed land cover (for example, wooded area, open grassed area, pavement, buildings);
- Generalized drainage patterns and approximate slopes (existing and proposed);
- Locations of major drainage and discharge features (existing and proposed) and natural drainage channels;
- Locations of soil storage piles (existing and proposed);
- Each existing onsite residual or hazardous waste treatment, storage or disposal facility;
- The location (to the extent practicable) of all storage or disposal sites at your facility for solid or liquid waste;
- Locations of major structural and nonstructural best management practices proposed in Item 7 to control stormwater pollutants during construction;
- Locations of major structural and nonstructural best management practices proposed in Item 9 to control stormwater pollutants after construction; and
- Springs, streams, rivers, canals, lakes, ponds, wetlands, bays, the ocean, or other surface water bodies that receive stormwater discharges from your facility.

The site map must indicate whether the drainage system immediately receiving stormwater discharged from your facility is a surface water body, an offsite public or private storm drainage system, or other system as applicable.

Item 3B - Attach an 8.5" x 11" copy of a portion of a U.S. Geological Survey Topographic Map(s), 7.5 minute Quadrangle Series extending one mile beyond the facility boundaries. The copy must be clear and legible, and the facility boundaries must be distinctly marked on the copy. Also, the name of the specific quadrangle(s) must be provided on the face of the copy.

Item 4 (New Sources or New Discharges Only) - Provide your best estimate of the date on which construction is to commence at your facility. The Department recognizes that many factors, often beyond your control, contribute to whether construction will actually start on the estimated date.

Item 5 - Follow directions in Item 5 of the form.

Item 6A - Follow directions in Item 6A of the form.

Item 6B - Follow directions in Item 6B of the form. To describe the location of the construction activity, you may state that location information is provided in Item 6A above, in the maps discussed under Items 3A and 3B above, and in Item 3 of the NJPDES - 1 Form. You may also use Item 6B to

supplement that information (for example, by providing a local or neighborhood name not reported in Item 3 of the NJPDES - 1 Form).

To describe the nature of the construction activity, describe:

- Existing land use and land cover at the site (and, if you are aware of it, past industrial or commercial land use);
- The proposed land use(s) (for example, single-family residential, multi-family residential, institutional (specify type), commercial (specify type), industrial (specify type), recreational (specify type), roadway or utility (specify type)); and
- The general nature of the land disturbance (for example, clearing and grubbing, excavation and stockpiling, demolition, rough grading, final or finish grading, preparation for seeding or planting).

Item 6C - Follow directions in Item 6C of the form. Describe any fill material (including solid or hazardous waste) that is to be used or disturbed during the construction activity, and that may be exposed to stormwater.

Item 6D - Follow directions in Item 6D of the form. Include a list of the kinds of soil mapped under Item 3A, and also describe any other existing data known to you including data concerning soil contamination.

Item 6E - Follow directions in Item 6E of the form. If any existing data are known to you describing the quality of the stormwater discharge, identify the number of storm events sampled, the sampling dates, and summarize the results for all parameters analyzed.

Item 7A - Follow directions in Item 7A of the form. Make it clear if the land area expected to be disturbed is less than one acre, or is not more than 5,000 square feet (0.1148 acres). In the "Receiving Water(s)" column, list the name of the receiving surface water(s) (or indicate that the discharge is to an unnamed tributary to a surface water named in that column).

Item 7B - Follow directions in Item 7B of the form. Pollutants in stormwater discharges during construction activity may include, but may not be limited to, sediment from soil erosion, and pollutants from waste such as discarded building materials, concrete truck washout, chemicals, litter, sanitary waste, and other solid or hazardous waste at the construction site.

Sediment from soil erosion is generally the most significant pollutant in stormwater discharges during construction activity. In addition, if contaminated soil or solid or hazardous waste is exposed to stormwater during construction activity (e.g., where construction disrupts a sanitary or hazardous waste landfill), the stormwater discharge may contain pollutants from such contaminated soil or solid or hazardous waste. Other pollutants that may be present in stormwater discharges during construction activity include pesticides (e.g., insecticides, rodenticides, and herbicides); petroleum products (including gasoline, oils, and grease used as fuels and lubricants for vehicles, power tools, and equipment maintenance); anti-freeze; lime and fertilizers (especially nitrogen and phosphorus) used for revegetating disturbed areas; pollutants from construction-produced solid wastes (e.g., vegetative wastes, waste building materials and demolition debris, sanitary wastes, leftover food, and other litter and debris); pollutants from construction chemicals and materials (such as paints and paint thinners, sandblasting grits, acids for cleaning masonry, cleaning solvents, detergents, asphalt products, chemical additives for soil stabilization (e.g., calcium chloride), concrete-curing compounds; and sand, aggregate, and cement used as raw materials in the manufacture of concrete); residues from washing of concrete mixers; and acid from exposed iron sulfide minerals.

Soil erosion and sediment control BMPs

Briefly describe any applicable requirements under the Soil Erosion and Sediment Control Act (N.J.S.A. 4:24-39 et seq.), and any other applicable State or local requirements for erosion and sediment control during construction activity (for example, requirements in the Flood Hazard Area Control Rules at N.J.A.C. 7:13-3.3). For purposes of Item 7B and Item 9, a "local" requirement is a requirement, established by a political subdivision of the State or by a Federal or interstate agency, that applies to a local geographic area that includes but may not be limited to all or part of your facility. (If you have applied for approval under the Soil Erosion and Sediment Control Act or other State or local permit programs that impose erosion and sediment control requirements, also be sure to provide corresponding information in Item 7 of the NJPDES-1 Form.)

For any land disturbance at the facility that is a "project" subject to the Soil Erosion and Sediment Control Act, the proposed best management practices (BMPs) for soil erosion and sediment control must, at a minimum, be designed in accordance with the "Standards for Soil Erosion and Sediment Control in New Jersey" found at N.J.A.C. 2:90-1.3 (or, for New Jersey Department of Transportation (NJDOT) construction projects, the NJDOT "Soil Erosion and Sediment Control Standards" found at N.J.A.C. 16:25A-2.1). (For any land disturbance at the facility that is not a "project" subject to the Soil Erosion and Sediment Control Act, those proposed BMPs should still, at a minimum, be designed in accordance with those "Standards for Soil Erosion and Sediment Control.") In describing proposed BMPs for erosion and sediment control, use terminology consistent with those "Standards for Soil Erosion and Sediment Control" (or NJDOT standards, if applicable) where possible.

If a plan for soil erosion and sediment control at the facility has already been submitted or approved under the Soil Erosion and Sediment Control Act or other State or local regulatory programs, the proposed BMPs for soil erosion and sediment control must also, at a minimum, be consistent with that plan.

Construction site waste control BMPs

At a minimum, proposed BMPs to control waste such as discarded building materials, concrete truck washout, chemicals, litter, sanitary waste, and other solid or hazardous waste at the construction site should incorporate the construction site waste control practices in Appendix RFC-1 (pages 9-10 of these instructions).

Approved State or local requirements for BMPs

Wherever there is an approved State or local requirement(s) for a BMP you describe in Item 7B, attach to Form RFC a copy of that requirement. For example, if a plan for soil erosion and sediment control at the facility has already been approved under the Soil Erosion and Sediment Control Act, you must attach to Form RFC a copy of that plan. Each copy shall be attached in full and may not be attached by reference, unless the requirement consists of a State statute or rule or other generally available document.

Additional guidance

For BMPs other than erosion and sediment control practices, you may also consider other guidance such as Chapter 4 ("Other Controls") of the USEPA manual, Storm Water Management for Construction Activities - Developing Pollution Prevention Plans and Best Management Practices (EPA 832-R-92-005, September 1992).

In addition, if the type of business or other activity at your facility has a particularly high risk of stormwater contamination during construction operations, you should consider any available guidance specific to that type of activity. You should also be aware that your choice of BMPs for erosion and sediment control or other pollutant control purposes may be affected by other law or regulations (for example, the Flood Hazard Area Control Rules at N.J.A.C. 7:13 and the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A), and that a NJPDES permit does not authorize any infringement of such law or regulations, or any injury to persons or property or invasion of other private rights.

Item 7C - Follow directions in Item 7C of the form. The proposed inspection procedures should, at a minimum, include routine weekly inspection of the facility by the permittee to identify areas contributing to the stormwater discharge and evaluate whether the SPPP is being properly implemented, or whether additional measures are needed to implement the SPPP.

The proposed maintenance and inspection procedures must include any maintenance and inspection procedures that the permittee is required to perform in order to comply with standards promulgated under the Soil Erosion and Sediment Control Act. (See, for example, the inspection and maintenance requirements in the "Standard for Sediment Barriers" in the "Standards for Soil Erosion and Sediment Control in New Jersey.") The proposed procedures should also include any applicable maintenance and inspection procedures that are recommended but not required by those standards.

You may also consider other guidance such as Chapter 5 ("Maintenance and Inspection") of the USEPA manual, Storm Water Management for Construction Activities - Developing Pollution Prevention Plans and Best Management Practices (EPA 832-R-92-005, September 1992).

Item 7D - Follow directions in Item 7D of the form. One example of a non-stormwater discharge expected at some sites during construction is a discharge (to surface water) of groundwater for the purpose of lowering the groundwater table during construction dewatering.

As discussed on page 1 of these instructions, submit Form C or Form A rather than Form RFC if the stormwater discharge is mixed with certain non-stormwater discharges (including construction dewatering not authorized under NJPDES General Permit No. NJ0134511).

Item 8 - Follow directions in Item 8 of the form. The "runoff coefficient" is the fraction (expressed as a decimal) of total rainfall that will appear as runoff. For the purpose of this application, assume a storm event with a frequency of two years, and calculate runoff volume in accordance with N.J.A.C. 7:8-5.6.

For the purpose of this application, impervious surfaces are surfaces where stormwater runs off at rates that are significantly higher than background rates (e.g., predevelopment levels), and include paved areas, building roofs, parking lots, and roadways. When reporting the increase in impervious surface, include the units (e.g., acres or square feet). If the post-construction site will have less impervious surface than the site had prior to construction, also include the word "(decrease)."

Item 9 - Follow directions in Item 9 of the form. Pollutants in stormwater discharges that will occur after construction operations have been completed will depend to a large extent on the nature of post-construction land use and land cover. Such pollutants may include, for example, sediment or suspended solids, nutrients, oxygen demanding substances, pathogens, metals, toxic chemicals, oil and grease, acid, heat, and floatables.

Examples of potential BMPs

Examples of nonstructural BMPs to control pollutants include the following "Low Impact Development" stormwater management strategies, incorporated into site design, that are listed at N.J.A.C. 7:8-5.3(b) and discussed in Chapter 2 and Appendix A of the New Jersey Stormwater Best Management Practices Manual:

- Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss
- Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces
- Maximize the protection of natural drainage features and vegetation
- Minimize the decrease in the "time of concentration" from pre-construction to post-construction
- Minimize land disturbance including clearing and grading
- Minimize soil compaction

Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides

Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas

Provide other source controls to prevent or minimize the use or exposure of pollutants at the site in order to prevent or minimize the release of those pollutants into stormwater runoff, including such source controls as:

- Trash receptacles
- Litter fences at commercial properties
- Pet waste stations in dense residential developments
- Storm drain inlets, trash racks, or other devices designed to prevent discharge of large trash and debris
- Adequate indoor storage of raw materials, intermediate products, final products, waste material, or by-products at commercial and industrial sites
- Roofs, overhangs, knee walls, diversion ditches, or permanent berms to minimize exposure of stormwater to such materials and products at such sites
- Permanent berms or secondary containment to contain spills of fuels or other chemicals

Nonstructural BMPs to control pollutants also include maintenance and other practices such as:

- Regular collection of trash from trash receptacles
- Collecting other solid and hazardous waste (including used oil and waste chemicals)
- Pavement sweeping
- Preventing, containing, and properly cleaning up leaks and spills
- Using tarpaulins, other temporary covers, or temporary berms to prevent or minimize exposure of material to stormwater
- Temporarily blocking storm drain inlets while conducting certain outdoor activities
- Conducting certain outdoor activities only in dry weather
- Preventing, detecting, and removing illicit connections
- Minimizing use of fertilizers, pesticides, deicing agents, and toxic chemicals
- Preventing and detecting illegal dumping
- Controlling animal waste and preventing litter
- Removing pollutants accumulated in drainage systems
- Public education and employee training related to any of the above

Examples of structural BMPs to control pollutants include the following stormwater management measures listed at N.J.A.C. 7:8-5.9(a)1 and discussed in Chapter 9 of the New Jersey Stormwater Best Management Practices Manual:

- Bioretention systems
- Constructed stormwater wetlands
- Dry wells
- Extended detention basins
- Infiltration structures
- Manufactured treatment devices
- Pervious paving
- Sand filters
- Vegetative filters
- Wet ponds

(Another BMP that may be appropriate at some industrial facilities is diverting heavily contaminated stormwater to wastewater treatment facilities.)

Description of State or local controls and requirements

Briefly describe any requirements that you believe to be applicable under the Department's new Stormwater Management rules, N.J.A.C. 7:8. On February 2, 2004, these new rules were published in the New Jersey Register and became effective (36 N.J.R. 670(a) and 781(a)). This is the first

major update of these rules since their adoption in 1983, and includes fundamental changes in how systems and structures for managing stormwater runoff in New Jersey are planned, designed and implemented.

The new Stormwater Management rules provide a framework and incentives for managing runoff and resolving nonpoint source impairment on a drainage area basis for new development and redevelopment and existing developed areas, and establish a hierarchy for implementation of stormwater management measures with initial reliance on low impact site design techniques to maintain natural vegetation and drainage before incorporating structural BMPs. These new rules also establish new runoff control performance standards for groundwater recharge, water quality and water quantity; establish special area protection measures (buffers) for pristine and exceptional value ("Category One") waters; provide regulatory consistency among local and State regulatory agencies; and provide safety standards for stormwater management basins.

A courtesy copy of these rules, answers to "Frequently Asked Questions," and the New Jersey Stormwater Best Management Practices Manual are available at www.njstormwater.org.

Questions or submissions regarding the Stormwater Management rules should be directed to the Division of Watershed Management, New Jersey Department of Environmental Protection, P.O. Box 418, Trenton, New Jersey 08625, (609) 984-0058.

Also briefly describe any other applicable requirements for stormwater management under the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the county planning statute (N.J.S.A. 40:27-1 et seq.), and any other applicable State or local stormwater management requirements.

If a plan for stormwater management at the facility has already been submitted or approved under State or local law or regulations, the proposed BMPs for stormwater management must also, at a minimum, be consistent with that plan. (Also be sure to provide corresponding information in Item 7 of the NJPDES-1 Form.) You may attach to Form RFC a copy of that plan. If you do not do so, the Department may require you to provide a copy of that plan as additional information.

Also briefly describe any applicable requirements under the Soil Erosion and Sediment Control Act (N.J.S.A. 4:24-39 et seq.), and any other applicable State or local requirements that are intended to minimize erosion and sedimentation after construction operations have been completed. The statements in the Item 7B Instructions about erosion and sediment control apply to Item 9 also.

Technical guidance for stormwater management BMPs can be found in the following documents:

- The New Jersey Stormwater Best Management Practices Manual, as amended.
- The New Jersey Department of Environmental Protection Stormwater Management Facilities Maintenance Manual, as amended.
- The USEPA manual entitled Storm Water Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices (EPA 832-R-92-006, September 1992). Although the primary purpose of that Manual was to provide guidance for industrial facilities that were subject to USEPA's initial general permits for "stormwater discharges associated with industrial activity," parts of that Manual contain information that is generally useful for controlling pollutants in post-construction stormwater from developed sites (especially industrial sites).

Additional technical guidance for stormwater management BMPs can be obtained from the "Standards for Soil Erosion and Sediment Control in New Jersey" found at N.J.A.C. 2:90-1.3 (or, for NJDOT projects, the "Soil Erosion and Sediment Control Standards" found at N.J.A.C. 16:25A-2.1), the Rutgers Cooperative Extension Service, and the Soil Conservation Districts (see N.J.A.C. 7:8-5.9(b)). In addition, if the type of business or other activity at your facility has a particularly high risk of stormwater contamination after construction operations have been completed, you should consider any available guidance specific to that type of activity.

You should also be aware that your choice of BMPs for stormwater management may be affected by other law or regulations (for example, the Flood Hazard Area Control Rules at N.J.A.C. 7:13 and the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A), and that a NJPDES permit does not authorize any infringement of such law or regulations, or any injury to persons or property or invasion of other private rights.

Item 10 - This form must be certified by the applicant(s) for the NJPDES permit. On the top line in Item 10, provide the name of the applicant/operating entity as it appears in Item 1 of the NJPDES -1 Form. The signature must be an original signature. The Water Pollution Control Act provides for severe penalties for submitting false information on this application form.

BE ON NOTICE THAT any person who knowingly makes any false statement, representation, or certification in any application shall upon conviction be punished by a fine of not less than \$5000.00 nor more than \$75,000.00 or by imprisonment or both (N.J.S.A. 58:10A-10f 2&3).

WHO MUST SIGN? *

A Responsible Official is defined in N.J.A.C. 7:14A – 4.9 as follows:

For a corporation: A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities, provided:

- (1) The manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of recommending major capital investment, initiating and directing comprehensive measures to assure long term compliance with environmental laws and regulations, and ensuring that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; or
- (2) The authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

For a partnership or sole proprietorship: A general partner or the proprietor.

For a government agency: A ranking elected official; or the chief executive officer of the agency; or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator).

A duly authorized representative as defined in N.J.A.C. 7:14A – 4.9(b).

Appendix RFC-1

Recommended Minimum Construction Site Waste Control Practices **(see Instructions for Item 7B)**

(adapted from Attachment B in NJPDES General Permit No. NJ0088323)

I. Material Management to Prevent or Reduce Waste

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

II. Waste Handling

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

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

1. "Construction and demolition waste," as defined in N.J.A.C. 7:26-1.4 as follows: "waste building material and rubble resulting from construction, remodeling, repair, and demolition operations on houses, commercial buildings, pavements and other structures. The following materials may be found in construction and demolition waste: treated and untreated wood scrap; tree parts, tree stumps and brush; concrete, asphalt, bricks, blocks and other masonry; plaster and wallboard; roofing materials; corrugated cardboard and miscellaneous paper; ferrous and non-ferrous metal; non-asbestos building insulation; plastic scrap; dirt; carpets and padding; glass (window and door); and other miscellaneous materials; but shall not include other solid waste types."
2. Any waste building material and rubble resulting from such operations that is hazardous for purposes of N.J.A.C. 7:26G (the Hazardous Waste rules).
3. Discarded (including spilled) pesticides, fertilizers, fuels, lubricants, petroleum products, anti-freeze, paints and paint thinners, paint chips and sandblasting grits, cleaning solvents, acids for cleaning masonry surfaces, detergents, chemical additives used for soil stabilization (e.g., calcium chloride), and concrete curing compounds.
4. Other "litter," as defined at N.J.S.A. 13:1E-215.d as follows: "any used or unconsumed substance or waste material which has been discarded whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the

waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.”

5. Sanitary sewage and septage.
 6. Contaminated soils encountered or discovered during earthmoving activities or during the cleanup of a leak or discharge of a hazardous substance.
- B. Concrete Truck Washout – Concrete truck washout onsite is prohibited outside designated areas. Designated washout areas shall be lined and bermed to prevent discharges to surface and ground water. Hardened concrete from concrete truck washout shall be removed and properly disposed of.
- C. Sanitary Sewage/Septage Disposal – Discharges of raw sanitary sewage or septage onsite are strictly prohibited. Adequate facilities with proper disposal shall be provided and maintained onsite or adjacent to the site for all workers and other sanitary needs.

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

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