

PART I GENERAL CONDITIONS FOR ALL NJPDES PERMITS

A. REQUIREMENTS INCORPORATED BY REFERENCE

1. The permittee shall comply with all conditions set forth in this permit and with all the applicable requirements incorporated into this permit by reference. The Permittee is required to comply with the regulations, including those cited in sections B. through F. following, which are in effect upon the effective date of the final permit.

B. GENERAL CONDITIONS

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| 1. Penalties for Violations | N.J.A.C. 7:14-8.1 <i>et seq.</i> |
| 2. Incorporation by Reference | N.J.A.C. 7:14A-2.3 |
| 3. Toxic Pollutants | N.J.A.C. 7:14A-6.2(a)4.i |
| 4. Duty to Comply | N.J.A.C. 7:14A-6.2(a)1 & (a)4 |
| 5. Duty to Mitigate | N.J.A.C. 7:14A-6.2(a)5 & 11 |
| 6. Inspection and Entry | N.J.A.C. 7:14A-2.11(e) |
| 7. Enforcement Action | N.J.A.C. 7:14A-2.9 |
| 8. Duty to Reapply | N.J.A.C. 7:14A-4.2(e)3 |
| 9. Signatory Requirements for Applications and Reports | N.J.A.C. 7:14A-4.9 |
| 10. Effect of Permit/Other Laws | N.J.A.C. 7:14A-6.2(a)6, 7 & 2.9(c) |
| 11. Severability | N.J.A.C. 7:14A-2.2 |
| 12. Administrative Continuation of Permits | N.J.A.C. 7:14A-2.8 |
| 13. Permit Actions | N.J.A.C. 7:14A-2.7(c) |
| 14. Standard Reopener Clause | N.J.A.C. 7:14A-6.2(a)10 |
| 15. Permit Duration and Renewal | N.J.A.C. 7:14A-2.7(a) & (b) |
| 16. Consolidation of Permit Process | N.J.A.C. 7:14A-15.5 |
| 17. Confidentiality | N.J.A.C. 7:14A-18.2 & 2.11(g) |
| 18. Fee Schedule | N.J.A.C. 7:14A-3.1 |
| 19. Treatment Works Approval | N.J.A.C. 7:14A-22 & 23 |

C. OPERATION AND MAINTENANCE

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| 1. Need to Halt or Reduce not a Defense | N.J.A.C. 7:14A-2.9(b) |
| 2. Proper Operation and Maintenance | N.J.A.C. 7:14A-6.12 |

D. MONITORING AND RECORDS

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| 1. Monitoring | N.J.A.C. 7:14A-6.5 |
| 2. Recordkeeping | N.J.A.C. 7:14A-6.6 |
| 3. Signatory Requirements for Monitoring Reports | N.J.A.C. 7:14A-6.9 |

E. REPORTING REQUIREMENTS

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| 1. Planned Changes | N.J.A.C. 7:14A-6.7 |
| 2. Reporting of Monitoring Results | N.J.A.C. 7:14A-6.8 |
| 3. Noncompliance Reporting | N.J.A.C. 7:14A-6.10 & 6.8(h) |
| a. Hotline/Two Hour & Twenty-four Hour Reporting | N.J.A.C. 7:14A-6.10(c) & (d) |
| b. Written Reporting | N.J.A.C. 7:14A-6.10(e) & (f) & 6.8(h) |
| 4. Duty to Provide Information | N.J.A.C. 7:14A-2.11, 6.2(a) 14 & 18.1 |

5. Schedules of Compliance
6. Transfer

N.J.A.C. 7:14A-6.4
N.J.A.C. 7:14A-6.2(a)8 & 16.2

F. ADDITIONAL CONDITIONS

1. Operator Certification
2. Intermittent Discharges (if Applicable)

N.J.A.C. 7:10A-1.1 *et seq.*
N.J.A.C. 7:14A-6.5(a)

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PART II

GENERAL REQUIREMENTS: DISCHARGE CATEGORIES

A. Additional Requirements Incorporated by Reference

1. Stormwater/Ground Water 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 Permit (EDP) of this final permit.
- b. Conditions for General Permits at N.J.A.C. 7:14A-6.13.i.
- c. Procedures and conditions applicable to Ground Water at N.J.A.C. 7:14A-7.
- d. Pinelands rules at N.J.A.C. 7:50 *et seq.* (Where applicable)

B. General Conditions

1. Permit Area

- a. This permit applies to:
 - i. Existing facilities - Statewide; and
 - ii. New facilities - except as prohibited below.

2. Scope

- a. The issuance of this permit shall not be considered as a waiver of any applicable federal, state and local rules, regulations and ordinances.
- b. Permit conditions remain in effect and enforceable until and unless the permit is modified, renewed or revoked by the Department.

3. Notification of Non-Compliance

- a. The permittee shall notify the Department of all non-compliance when required in accordance with N.J.A.C. 7:14-6.10 by contacting the DEP Hotline at 1-877-WARN-DEP.
- b. The permittee shall submit a written report as required by N.J.A.C. 7:14A-6.10 within five (5) days.

4. Eligibility

- a. Facilities eligible for this Sand and Gravel Permit are those facilities which conduct excavation of materials using a dredge, excavator or similar machinery as whole or part of their industrial activity, and include the following SIC (and NAICS) codes: Construction Sand and Gravel 1442 (NAICS 212321); Industrial Sand 1446 (NAICS 21232); and parts of 1499 (NAICS 212399-facilities that excavate soil and/or fill dirt).
- b. Facilities that may not have the above referenced SIC or NAICS codes but conduct operations out of a borrow pit for the purposes of removing sand and/or soil.
- c. The following facilities and activities are not eligible for this permit:
 - i. New facilities (established after January 1, 2013) that discharge to ground water in areas classified under N.J.A.C. 7:9C as Class I-A and Class I-PL, or which discharge to ground water that contributes to surface waters classified as C1 or FW1;
 - ii. New facilities (established after January 1, 2013) that submit a request for authorization application that fail to demonstrate a facility design capable of full compliance with this permit;
 - iii. Other activities not associated with the facility's industrial activities (see sections A & B above). Activities such as composting, recycling activities and/or storage of materials not associated with the facility's on-site industrial activity are not authorized by this permit;
 - iv. Process wastewater discharges containing surfactants, flocculants, detergents and/or other chemicals used in the process of their industrial activities; and
 - v. Facilities that discharge to the surface waters of the State.

3. Authorization

- a. In order to obtain authorization under this permit (except for automatic renewal authorization under B.4. below), a complete Request for Authorization (RFA) shall be submitted in accordance with the application request posted at http://www.state.nj.us/dep/dwq/pdf/rfa_1storm.pdf.
- b. 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;
 - 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.

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 N.J.A.C. 7:14A-25.4(a), as long as the discharge remains eligible.
- b. The Department shall issue a notice of renewed authorization to the permittee.

- c. 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.
- d. A permittee whose authorization was renewed as provided above may request to be excluded from the reissued general permit in accordance with N.J.A.C. 7:14A-6.13(g).

5. Contents of the Request for Authorization

- a. A completed RFA shall include all of the following information and shall be supplied on the Department's RFA_1 Storm (RFA) form which can be found at http://www.state.nj.us/dep/dwq/pdf/rfa_1storm.pdf:
 - i. The name, mailing address and location of the facility;
 - ii. The four (4) digit Standard Industrial Classification (SIC) Code or North American Industry Classification System (NAICS) Code and Short Title;
 - iii. For new facilities or existing facilities currently issued an individual NJPDES permit: a completed RFA, a completed Supplemental form, a valid Mining Certificate issued by the Office of Public Safety Compliance under the New Jersey Department of Labor, and verification of an approved Soil Erosion and Sediment Control Plan (251 Plan);
 - iv. For existing facilities currently authorized under the R-13, Mining and Quarrying General permit: a completed RFA Supplemental form for the RSG Permit, the appropriately completed *Certification* form, a valid Mining Certificate issued by the Office of Public Safety Compliance under the New Jersey Department of Labor, and verification of an approved Soil Erosion and Sediment Control Plan (251 Plan);
 - v. Other information may be requested if the Department deems it reasonably necessary for the purposes of rendering a decision for authorization under this permit.
- b. A completed and signed RFA shall be submitted to the Department at the address specified on the Department's RFA form.

6. Requiring an Individual NJPDES Permit or another General Permit

- a. Pursuant to N.J.A.C. 7:14A-6.13(e) the Department may require any facility authorized under this permit to apply for and obtain an individual permit, or seek and obtain authorization under another general permit.
- b. If a facility is required by the Department to obtain another NJPDES permit that would also cover the authorized stormwater and/or ground water discharge, authorization under this permit remains in effect only until the date the other permit becomes effective.

7. Specific Discharges and/or Industrial Activities Not Authorized By This Permit

- a. The following discharges are not authorized by this permit:
 - i. Rinsing of mobile fueling tankers, tankers, industrial equipment, piping, hoses, dump trucks, dumpsters, roll-off containers, other containers, totes, *etc.*;
 - ii. Rinsing of engines, radiators and other internal areas of the vehicles;
 - iii. Rinsing of vehicles used in handling and/or transporting of hazardous waste and/or hazardous materials;

- iv. Rinsing/washing of vehicles/equipment using detergents;
- v. Mine dewatering;
- vi. Composting, recycling and or storage of materials not listed in Part IV.C.1. of this permit;
and
- vii. Process water discharges that contain surfactants, flocculants, detergents and or other
chemicals used in the process of their industrial activities.

8. Other Permits or Regulatory Requirements

- a. Compliance with the conditions of this permit does not exempt the permittee from any other applicable permit or other regulatory requirements including, but not limited to, all Federal, State and Local rules and regulation.

9. Other Laws

- a. In accordance with N.J.A.C. 7:14A-6.2(a)7, this permit does not authorize any infringement of State or local laws or regulations, including, but not limited to the Pinelands rules (N.J.A.C. 7:50), 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 on-site spill shall be deemed to be "pursuant to and in compliance with [this] permit" within the meaning of the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11c.

10. Notification of Changes

- a. Prior to any physical or operational alterations or additions to the permitted facility the permittee shall give written notification to the Department within 90 days of any planned alteration or addition is expected to result in any 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.
- b. Prior to any change of ownership the current permittee shall comply with the requirements of N.J.A.C. 7:14A-16.2, pertaining to notification of change of ownership.

C. Closing a Facility

1. Requirements for Closing a Facility

- a. The permittee shall remove all operating equipment including but not limited to trucks, earth moving equipment and pumps and miscellaneous parts.
- b. The permittee shall empty the contents of all tanks and clean the tanks of all residues. The contents of the tanks shall be disposed of in accordance with applicable rules and regulations.
- c. The permittee shall remove all remaining aggregate piles or the permittee shall permanently stabilize the aggregate piles in accordance with the technical standards listed in the *Standards for Soil Erosion and Sediment Control in New Jersey*.
- d. The permittee shall restore and/or stabilize all disturbed areas of the site in accordance with the technical standards listed in the *Standards for Soil Erosion and Sediment Control in New Jersey*.

- e. The permittee shall contact the regional Water Compliance & Enforcement Element and request a revocation of the permit.
- f. The permittee shall continue to comply with the terms and conditions of the permit until notification of termination of the permit has been issued.
- g. At closure of a quarry, due diligence must include testing of radionuclides in soil and a gamma radiation scan.
 - i. Samples must be dried, held for 21 days and analyzed using a laboratory that is certified by the NJDEP for photon emitters.
 - ii. Characterization data must be submitted to the Bureau of Environmental Radiation for review to determine if further characterization is needed and/or remediation and a final status survey (soil standards for radionuclides can be found at N.J.A.C. 7:28-12).
 - iii. Follow the NJDEP's Sampling Procedures Manual or the Multi-Agency Radiation Site Survey and Investigation Manual (MARSSIM) NUREG-1575.
 - iv. At the time of closure contact the Bureau of Environmental Radiation at (609) 984-5462 for guidance on the testing for radionuclides. For additional information visit them at <http://www.state.nj.us/dep/rpp/ber/index.htm>.

PART III

There are no discharge requirements for the RSG permit.

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PART IV

SPECIFIC REQUIREMENTS: NARRATIVE

DEFINITIONS AND ACRONYMS

A. Definitions

1. Stormwater Definitions

- a. Unless otherwise stated in this permit, the definitions set forth at N.J.A.C. 7:14A-1.2 are incorporated into this permit.
- b. Other terms used in this permit are defined as follows:
 - i. "Best Management Practice (BMP)" means methods that have been determined to be the most effective, practical means of preventing or reducing pollution from non-point sources.
 - ii. "Borrow pits" means any excavation pit that may or may not intercept the groundwater table. The common feature of these basins is that they are topographic depressions that are used to extract materials for the facility's operations and **are not** designed to hold, retain, or treat and/or transmit stormwater and/or pollutants.
 - iii. "Category One waters" means those waters designated in the tables in N.J.A.C. 7:9B-1.15(c) through (h), for purposes of implementing the anti-degradation policies set forth at N.J.A.C. 7:9B-1.5(d), *et seq.*
 - iv. "EDP" means Effective Date of the Permit.
 - v. "EDPA" means Effective Date of the Permit Authorization.
 - vi. "Mine Dewatering" means any water that is impounded or that collects in a mine and is pumped, drained or otherwise removed from the mine through the efforts of the mine operator and is discharged to surface waters.
 - vii. "MQGP" means the Mining and Quarrying General Stormwater permit (R13)
 - viii. "Non-Process" water means any water including stormwater runoff which is not used in manufacturing or processing.
 - ix. "Pinelands waters" means all waters within the boundaries of the Pinelands area, except those waters designated as FW1 in N.J.A.C. 7:9B-1.15(h) Table 6, as established in the Pinelands Protection Act (N.J.S.A. 13:18A-1 *et seq.*) and shown on Plate 1 of the "Comprehensive Management Plan" adopted by the New Jersey Pinelands Commission in November 1980.
 - x. "PL" means the general surface water classification applied to Pineland Waters.
 - xi. "Process wastewater" means any water which, used during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling

water. This definition includes the terms commercial wastewater and industrial wastewater as used in 40 CFR Part 503.

- xii. "Source materials" means any materials, located at the facility and directly or indirectly related to process or other industrial activities, which could be a source of pollutants in a stormwater discharge that is subject to N.J.A.C. 7:14A-24.2. Source materials include, but are not limited to: raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels; and lubricants, solvents, and detergents that are related to process or other industrial activities.
- xiii. "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.
- xiv. "Vehicles and Equipment" means any of the following, but is not limited to: pickup trucks, cars, SUVs, forklifts, front-end loaders, backhoes, road sweepers, other mobile earth-moving equipment and man lifts used on-site in the facility's operations.

B. Stormwater Acronyms Used in this Permit

1. **BMPs** – Best Management Practices
2. **DCP** – Drainage Control Plan
3. **DGW** – Discharge to Groundwater
4. **DSW** – Discharge to Surface water
5. **EDP** – Effective Date of Permit
6. **EDPA** – Effective Date of Permit Authorization
7. **NAICS** – North American Industry Classification System
8. **N.J.A.C.** – New Jersey Administrative Code
9. **NJPDES** – New Jersey Pollutant Discharge Elimination System
10. **N.J.S.A.** – New Jersey Statutes Annotated
11. **SIC** – Standard Industrial Code
12. **SPPP** – Stormwater Pollution Prevention Plan

STORMWATER

A. Permit Overview

1. Summary of Stormwater Permit Requirements

- a. The permittee shall develop, implement, update and maintain a Stormwater Pollution Prevention Plan (SPPP), which includes a Drainage Control Plan (DCP). (*See Part IV.B.1. & Part IV.B.2.*)
- b. The permittee shall develop, implement, update, and maintain site specific Best Management Practices (BMPs) to achieve the design criteria as specified in the permit. (*See Part IV.C.1-4*)
- c. The permittee shall be responsible for supervising and managing the operation and maintenance of the facility, which includes routine inspections of the facility. (*See Part IV.F.1.*)
- d. The permittee shall summarize facility inspections in written reports and submit reports and certifications to ensure compliance with this permit. (*See Part IV.H.*)
- e. The permittee shall retain copies of all maintenance records, and copies of all reports (including the SPPP, and soil erosion and sediment control plans) required by this permit. (*See Part IV.I.*)

B. Requirements for All Facilities

1. The Stormwater Pollution Prevention Plan (SPPP)

- a. The SPPP shall include a written narrative and a Drainage Control Plan (see Part IV B.2. below). The SPPP shall include of all areas and activities that may impact stormwater quality, and include all items in Attachment A (required practices for fueling operations, vehicle maintenance and good housekeeping practices);
- b. The SPPP shall address all stormwater and ground water discharges associated with industrial activities, including source materials, at the facility;
- c. The SPPP shall identify the BMPs that are in practice to eliminate, reduce, or minimize exposure of all industrial activity and source material to stormwater or ground water;
- d. The SPPP shall demonstrate that upon implementation, the stormwater and ground water discharges associated with industrial activity meet the conditions of this permit;
- e. The SPPP shall identify BMPs to stabilize surface soils and reduce sediment transport, using BMPs outlined in the Standards for Soil Erosion and Sediment Control in New Jersey where appropriate, in accordance with the Soil Erosion and Sediment Control Act N.J.S.A. 4:24-39 *et seq.*;
- f. The SPPP shall identify production and non-production areas that have a high potential for soil erosion or a known soil erosion problem. Appropriate vegetative, structural, or stabilization measures shall be selected to limit erosion and sediment transport in these areas;

- g. The SPPP shall be prepared, implemented and maintained in accordance with good engineering practices and shall include, at a minimum, all of the items and information in Attachment B: "Contents of the Stormwater Pollution Prevention Plan";
- h. The SPPP must include (or cite the location of) the following (if applicable):
 - i. Any spill reports prepared under section 313 in Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986, 42 U.S.C. 9601 *et seq.*;
 - ii. Any Spill Prevention Control and Countermeasures Plan (SPCC Plan) prepared under 40 CFR 112 and section 311 of the Clean Water Act, 33 U.S.C. 1321; any Discharge Prevention, Containment and Countermeasure Plan (DPCC Plan); and Discharge Cleanup and Removal Plan (DCR Plan) prepared under N.J.A.C 7:1E.

2. Drainage Control Plan (DCP)

- a. A Drainage Control Plan is a series of controls that the facility establishes that ensures that all stormwater remains onsite. The DCP contains both a written narrative and a Drainage Control map
- b. Drainage Control shall be established at a minimum within 6 months of EDPA for all areas.
- c. The Drainage Control Plan shall have been incorporated into the facility's SPPP.
- d. DCP shall be revised and updated whenever necessary to reflect the current conditions at the facility.
- e. The contents of the Drainage Control Map (unless otherwise specified by the Department) shall be legible and clearly depict the following:
 - i. The Drainage Control Map shall be an 1" = 400' scale, which is legible and clearly depicts the following information where applicable
 - ii. The Drainage Control Map shall be in 1" = 400';
 - iii. Site boundary of the facility;
 - iv. A title block containing tax block and lot number;
 - v. North directional arrow;
 - vi. Final grading of drainage area, including flow arrows showing drainage;
 - vii. Location of flow diversion structures;
 - viii. Areas of industrial activity (e.g. maintenance, fueling, equipment storage);
 - ix. Access roads;
 - x. Existing buildings and other structures;
 - xi. Employee parking; and
 - xii. Certification of the DCP shall be from a Responsible Corporate Officer or Duly Authorized Representative as defined in N.J.A.C. 7:14A-4.9, or by a Professional Engineer's certification.
 - Site boundary of facility;

- A title block containing tax block and lot number;
- North directional arrow;
- Date prepared and subsequent revisions;
- Final grading of drainage areas, including flow arrows showing drainage;
- Location of flow diversion structures;
- Location of ground water discharge structures;
- Areas of industrial activity (e.g. maintenance, fueling, equipment storage);
- Access roads;
- Existing buildings and other structures;
- Employee and customer parking; and
- Certification of DCP shall be from a Responsible Corporate Officer or Duly Authorized Representative as defined in N.J.A.C. 7:14A-4.9, or by a Professional Engineer's certification.

- f. Drainage Control Plan
 - i. The Drainage Control Plan shall be prepared and implemented with six (6) months of EDPA.
 - ii. The Drainage Control Plan shall be kept onsite and be available for review by the Department

C. Specific Best Management Practices

1. BMPs – Management of Other Materials

- a. Wood chips, tree stumps and other tree debris shall only be stored in a manner such that runoff from the storage area shall infiltrate into the ground. Runoff from the storage areas shall not flow into borrow pits that intersect the ground water table.
- b. Runoff from storage of wood chips cannot discharge to surface water bodies. Tree trunks, brush piles, tree limbs, etc. can be stored in any manner as long as they are not stored in wetlands, transition zones or any other manner with a direct connection to a surface water body.
- c. Salt shall only be stored on-site in a manner consistent with the Department's policy on salt storage or the National Salt Institutes guidance on salt storage; both of which can be found in Attachment B of the permit.

2. BMPs – Facility Entrance

- a. All stormwater at the facility entrance shall be retained on-site.
- b. The permittee shall establish and implement BMPs to prevent or minimize transport of sediment and dust offsite, which may include the use of sweepers to remove the material.

3. BMPs – Dust Control

- a. Spraying, with non-process water is permitted under this permit for use on unpaved access roads, to maximize dust control and minimize the off-site tracking of sand, soil, sediment or similar materials. However at no time can this discharge from this activity cause a discharge to surface water or be permitted to run off-site.

4. BMPs – Other

- a. All facilities shall establish and implement BMPs to prevent the discharge of oil, grease thinners, degreasers, lubricants, and contact cooling water to the ground or surface waters of the State during maintenance of stationary equipment.

D. Specific Requirements

1. Laboratory wastes must be managed in accordance with all applicable State laws and regulations

2. Maintenance, Fueling and Good Housekeeping Practices

- a. The facility must implement BMPs for good housekeeping practices, fueling and maintenance yard operations listed in Attachment A of the permit (when applicable).

E. Non-stormwater discharges allowed by this permit

1. After the Effective Date of Permit Authorization (EDPA) the permit allows for the rinsing of vehicles and equipment under the following conditions:

- a. Rinsing of vehicles/equipment shall be restricted to using water only, with no detergents;
- b. Vehicle rinsing shall be of the external parts and undercarriage of the vehicles and limited to the removal of grit, grime, dust, dirt and incidental road salt;
- c. Equipment and vehicles used in the application/handling of salt and de-icing materials shall be rinsed with water only, immediately following salt and de-icing material applications. Prior to rinsing with water, all residual salt and de-icing materials shall be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (*e.g.*, shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded;
- d. Truck beds and earth moving buckets/clamshells may be rinsed provided the following conditions are met:
 - i. The equipment was used to move and/or excavate de-icing salt and/or non-hazardous, non-contaminated soil;
 - ii. The bulk of the soil and/or salt has been physically removed by shoveling, raking, sweeping or other means.
- e. Rinse water from activities listed in E.1. a-d above shall not be diverted to any borrow pit that has intercepted the ground water table or cause a discharge to surface water. All discharge from the above mentioned activities shall be directed to infiltrate into the ground.
- f. Allowable discharges to the borrow pits that have intersected the ground water:
 - i. Return water from the process area;
 - ii. Incidental stormwater from around the borrow pit.

F. Operations and Maintenance

1. Operation and Maintenance Requirements

- a. The permittee shall be responsible for supervising and managing the operation and maintenance of this facility, and any BMPs which are implemented by the permittee to achieve compliance with the conditions of the permit, in accordance with the requirements identified in the SPPP. Proper operation and maintenance may require the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with conditions of the permit.

G. Annual Inspections, Annual Reports and Certifications

1. Annual Inspections and Annual Certification

- a. Beginning the first year of authorization, and each year thereafter the permittee shall conduct an annual inspection in accordance with N.J.A.C. 7:14A-24.9(a).2.i, to assess all areas contributing to stormwater to ground water discharges, and evaluate the effectiveness of the

implemented BMPs, in order to determine whether the SPPP is being implemented in accordance with the permit conditions. The permittee shall determine whether additional measures are needed to meet the permit conditions as required under **Attachment B**.

- b. The permittee shall submit a complete **Certification Form**, in accordance with H. below. The Annual Certification shall be submitted to the Department in accordance with the requirements contained in *Part IV, Section H. Submittals* of this permit.

2. Annual Report

- a. Beginning the first year of authorization, and each year thereafter the permittee shall prepare an annual report summarizing the annual inspection in accordance with N.J.A.C. 7:14A-24.9(a).2.ii. The annual report is not to be submitted to the Department but shall be made part of the facility's SPPP and made available for inspection. The annual report shall include:
 - i. The date of inspection;
 - ii. Name(s) and title(s) of the inspector(s); and
 - iii. A summary of the findings of the annual inspection, including any incidents of non-compliance. All instance of noncompliance shall be identified in the annual certification in accordance with N.J.A.C. 7:14A-24.9(a).2.ii.

H. Permit Submittals and Deadlines

1. Submittal Requirements

- a. Each Facility previously authorized under the Mining and Quarrying Stormwater General permit (R13) shall submit the Department's Certification form annually, certifying that they have:
 - i. Updated their SPPP; and
 - ii. Conducted an annual inspection and are in compliance with their SPPP and permit conditions.
- b. Each facility that was not previously authorized under the Mining and Quarrying general permit (R13), shall submit the Department's Certification Form within the time frame specified under G. 2 above.
- c. The Department's Certification Form is available on the Department's web site at www.state.nj.us/dep/dwq/forms_storm.htm or by calling the Bureau of Nonpoint Pollution Control at (9609) 633-7021.

2. Submittal Deadlines for Facilities Not Previously Authorized under the MQGP (R-13)

- a. SPPP preparation and implementation certification submittal requirement for facilities that were not previously authorized under the MQGP. NOTE: Facilities previously authorized under the Mining and Quarrying General Stormwater permit that have previously submitted their SPPP preparation and implementation certification(s) are not required to resubmit these certifications.
 - i. Submit the Certification Form, certifying that the SPPP was prepared and implemented, within six (6) months from the Effective Date of Permit Authorization (EDPA).

- b. Annual Certification submittal requirements for facilities that were not previously authorized under the Mining and Quarrying General Stormwater permit.
 - i. Submit the Certification Form, certifying the Annual Inspection was conducted, annually, beginning six (6) months from the EDPA.

3. Submittal Deadlines for facilities previously authorized under the MQGP (R-13)

- a. SPPP update certification submittal requirements for facilities previously authorized under the MQGP:
 - i. Submit the Certification Form, certifying that the SPPP was updated, with the Annual Certification.
- b. Annual Certification submittal requirements for facilities that were previously authorized under the MQGP.
 - i. Submit the Certification Form, certifying the Annual Inspection was conducted, annually.

4. Where to send All Permit Submittals

- a. All permit submittals shall be sent to the following address:
 - i. New Jersey Department of Environmental Protection
Mail Code 401-02B
Division of Water Quality
Permit Administration Section
P.O. Box 420
401 East State Street, 3rd Floor
Trenton, NJ 08625-0420

I. Record Keeping

1. Agency and Public Review

- a. All SPPPs prepared under this permit shall be available to the public for inspection and duplication upon request, pursuant to N.J.A.C. 7:14A-18.1. The SPPP shall be signed by the permittee and the original shall be retained at the facility for use and NJDEP inspection. Upon request, a copy of the SPPP shall be delivered to the Department within five (5) business days of the date of the request. The permittee may claim any portion of the SPPP confidential in accordance with N.J.A.C. 7:14A-18.3. The Department's decision regarding such claims shall be made in accordance with N.J.A.C. 7:14A-18.5.
- b. The permittee shall keep a copy of the updated SPPP on-site and have it available for inspection at all times.