

TREATMENT WORKS APPROVAL  
PROGRAM

FEE REPORT  
AND FEE SCHEDULE FOR  
FY2005

PROPOSAL DOCUMENT

NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

COMMISSIONER BRADLEY M. CAMPBELL



State of New Jersey  
Department of Environmental Protection

Richard J. Codey  
Acting Governor

Bradley M. Campbell  
Commissioner

Dear Interested Parties:

April 7, 2005

The Department of Environmental Protection (Department) has identified you as an entity that may potentially be interested in Treatment Works Approval (TWA) fees. Therefore, attached is a copy of the Fiscal Year (FY) 2005 Fee Report and Fee Schedule for the Treatment Works Approval (TWA) permitting program. The TWA fee schedule was first promulgated in 1989. It was last revised in 2002 with a phased implementation, with the final phase effective June 1, 2003. Given the State's current budget constraints, the TWA permitting program must be fully supported by the permit fees. To meet this need, the Department is proposing an upward adjustment in permit fees to meet the current cost of administering the TWA program, which is anticipated to be \$2,124,668 for FY2005. The FY2005 Fee Report and Fee Schedule has been prepared based upon provisions in the TWA Fee Regulations at N.J.A.C. 7:1C.

A **public hearing** on the proposed FY2005 fee schedule will be held on Monday, May 9, 2005, beginning at 10:00 A.M. and will continue until all testimony has been received. The hearing will be held at:

New Jersey Environmental Infrastructure Trust  
3131 Princeton Pike  
Building No. 6  
Suite 201  
Lawrenceville, New Jersey 08648

The **public comment** period on the FY 2005 Fee Report and Fee Schedule will remain open for comments until June 1, 2005. Please submit written comments to:

Gautam R. Patel, Chief  
Bureau of Financing and Construction Permits  
Municipal Finance and Construction Element  
PO Box 425  
Trenton, New Jersey 08625-0425

The Department intends to make the FY2005 fee schedule effective on July 1, 2005. A Notice of adoption (including any changes) will be published in the New Jersey Register and the DEP Bulletin. If you have any questions concerning this matter, please contact Mr. Gautam R. Patel at (609) 984-6840.

Sincerely,

Narinder K. Ahuja, P.E., P.P., Director  
Division of Water Quality

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## FY2005 ANNUAL FEE REPORT AND FEE SCHEDULE FOR THE TWA PROGRAM

### INTRODUCTION

The New Jersey Department of Environmental Protection (Department) is responsible for administering the Treatment Works Approval (TWA) program which establishes and implements minimum standards for the approval of the design, construction and operation of treatment works to ensure that wastes are properly collected, conveyed and treated before discharge to the waters of the State.

The TWA program rules are set forth at N.J.A.C. 7:14A-22 and 23. All persons who wish to construct a treatment works, unless specifically exempted in N.J.A.C. 7:14A-22.4, are required to obtain a TWA permit from the Department. A TWA is a permit, which authorizes the construction and/or operation of a wastewater treatment, storage and/or conveyance facility. These facilities include, but are not limited to, municipal or privately owned sewage treatment plants, sewer extensions, pumping stations, force mains, holding tanks and equalization tanks.

The TWA fee structure rules are set forth at N.J.A.C. 7:1C-1.5. Fees are assessed to cover the Department's costs to review, issue, and manage TWA permits. The purpose of this report is to provide a summary of the projected costs to administer the Treatment Works Approval (TWA) Program and the fee structure necessary to recover those costs pursuant to N.J.A.C. 7:1C-1.5. The estimated budget includes employee salaries, fringe benefits, indirect costs and operating costs associated with the TWA Program.

### FY2005 TWA RATE PROPOSAL

In accordance with N.J.A.C. 7:1C, all applicants for a Treatment Works Approval (TWA) shall pay one of the following fees based upon the appropriate category.

Category 1 (construction costs greater than \$1,000,000) fee =  $4P (\$250,000) + 2P(\$750,000) + P (\text{construction cost} - \$1,000,000)$ .

Category 2 (construction costs greater than \$250,000 but are less than or equal to \$1,000,000) fee =  $4P (\$250,000) + 2P (\text{construction cost} - \$250,000)$ .

Category 3 (construction costs less than or equal to \$250,000) fee =  $4P (\text{construction cost})$ .

The "P" coefficient in the above formula is currently equal to 0.0032. This coefficient is derived from the following formula.

$$P = EB / (T1 + 2 (T2) + 4 (T3) + 1,500,000 (N1) + 500,000 (N2))$$

Where:

EB = estimated budget for the TWA Program;

T1, T2, and T3 = the sum of the construction costs for all projects in categories 1, 2, and 3, respectively, from the prior fiscal year;

N1 and N2 = the total number of projects in category 1 and 2, respectively, from the prior fiscal year.

The values from the last full year of available data, FY2004, were as follows:

T1 = \$141,908,182

T2 = \$45,957,115

T3 = \$41,109,800

N1 = 32

N2 = 92

EB for FY2005 is based upon the budgeted staff allocations within the Bureaus of Financing and Construction Permits, Nonpoint Pollution Control and Permit Management for the TWA Program. The current average salary cost for each position in the TWA program is \$67,000. The Department of Treasury has established the fringe benefit rate of 33.25 percent in its current OMB Circular Letter. The indirect rate of 26.21 percent of salary plus fringe has been established by the Department of Environmental Protection. The program costs including the appropriate fringe benefits, indirect and operating costs are as follows:

Financing & Construction Permits	\$ 938,000	(14.0 Work Years)
Permit Management	\$ 134,000	( 2.0 Work Years)
Nonpoint Pollution Control	\$ 100,500	( 1.5 Work Years)
Director/Asst. Dir. Office	<u>\$ 33,500</u>	( 0.5 Work Years)
	\$1,206,000	
	\$ 400,995	(fringe benefits, 0.3325)
	\$ 421,193	(indirect cost, 0.2621)
Operating Budget (8 %)	<u>\$ 96,480</u>	
	\$2,124,668	= EB for FY05

The operating budget includes costs of printing/office supplies, vehicular, other materials and supplies, travel, telephone, postage, information processing (software/LAN maintenance), professional services, other services (Division of Law and Public Safety charges, Office of Administrative Law charges, and training), maintenance, equipment, rent, central motor pool, and information processing equipment.

Therefore, for FY2005,

$$P = 2,124,668 / (141,908,182 + 2 (45,957,115) + 4 (41,109,800) + 1,500,000 (32) + 500,000 (92))$$

$$P = 0.0043$$

This calculated "P" factor would result in an approximate increase of 30% over the current fee structure.

However, the Department believes that a "P" factor of 0.0040, which would result in an approximate increase of 21% over the current fee structure, is adequate at this time, based in part on an anticipated increase in the TWA minimum fee which will enable the Department to meet expected program costs.

Please note that although the Department is not adjusting the following fees at this time, they are anticipated to be increased in the near future as part of changes to the rules governing 90-Day Construction Permits, N.J.A.C. 7:1C-1.1 et seq., to adequately cover the staff resources necessary to process these permit actions. Any changes to the fees specified in N.J.A.C. 7:1C-1.1 et seq. will be subject to public comment during the rule adoption process.

Minimum Fee - \$ 450

All General Industrial TWAs - \$450

All Modifications – One quarter of the total original permit fee

Time Extensions – Category 1 or 2 projects, \$200; Category 3 projects, \$100

#### JUSTIFICATION FOR UPDATED "P" COEFFICIENT

Each year the "P" coefficient for the following fiscal year may be updated using the estimated budget for that year in conjunction with actual data concerning the categories and number of projects submitted in the previous fiscal year. The resulting "P" coefficient may then be used in the fee structure the following fiscal year to provide revenue equal to the costs to administer the program.

Currently the "P" coefficient is 0.0032, which has remained unchanged since June 1, 2003. Although there has been a reduction in the position allocation for the TWA program, from 21 positions in FY2002 to 18 positions in FY2005, the TWA Program revenue for FY2004 has been less than the program costs, due in part to fewer Category 1 Treatment Works applications being submitted to the Department in comparison to previous years and also due to increased operating costs, including routine salary cost of living increases during this period.

As previously stated, the calculated "P" factor of 0.0043 would result in an approximate increase of 30 percent over the current fee structure. However, we believe that a "P" factor of 0.0040, which would result in an approximate increase of 21 percent over the current fee structure, plus an anticipated increase in the minimum fee, will enable the Department to meet expected program costs. Given the State's current budget constraints, the adoption of the updated "P" coefficient of 0.0040 is necessary to meet the expected program costs for FY2005.

Any future changes to the "P" coefficient will appear with a synopsis of the fee schedule report in the New Jersey Register, DEP Bulletin, and several newspapers with general circulation.

### UPDATED TWA FEE SCHEDULE IMPACTS AND STATISTICS

Category 1 projects account for 34 percent of the overall TWA revenue. The applicants in this category are almost exclusively municipalities and sewerage authorities. The project cost in this category exceeds \$ 1,000,000, which typically is associated with new sewage treatment plants, plant upgrades and expansions, and major conveyance infrastructure improvements. The average fee for this category is estimated to increase by \$4,205.

Category 2 projects account for 26 percent of the overall TWA revenue. The project cost in this category is between \$ 250,000 and \$1,000,000. The applicants in this category include municipalities, sewerage authorities, developers, and industry. The types of projects common in this category are large collection systems to serve new residential and commercial developments and the rehabilitation of existing conveyance systems. The average fee for this category is estimated to increase by \$1,096.

Category 3 projects account for the remaining 40 percent of the overall revenue. The project cost in this category is less than \$ 250,000. The applicants include all those mentioned in the above categories, small developers, and individual homeowners. The average fee for this category is estimated to increase by \$218. However, at this time most small developers and individual homeowners would continue to pay the minimum fee which currently will remain unchanged at \$ 450.00, as stipulated by rule in N.J.A.C. 7:1C-1.5(a)5iv. However, as part of anticipated changes to N.J.A.C. 7:1C in the near future, the Department intends to appropriately increase the minimum fee to cover the remaining deficit in the TWA program costs.

The following table details the projected impacts of this updated fee schedule as compared to TWA application data from FY2004:

**Proposed TWA Fees – “P” Coefficient Increase Statistics**

		P=0.0032	P=0.0040		
FY2004 Project Construction Cost		FY2004 Fee Amount Received	Projected Fee Amount To Receive	Projected Fee Increase (Aggregate)	
		\$228,725,097	\$1,629,352	\$1,972,668	\$343,316
		Actual Fees FY2004	Proposed New Fees	Fee Increase	
All Categories	Average	\$1,855.66	\$2,319.57	\$463.91	
	Median	\$450.00	\$450.00	\$0.00	
	Maximum	\$196,651.00	\$245,813.75	\$49,162.75	
Category 1	Average	\$16,818.37	\$21,022.96	\$4,204.59	
	Median	\$9,198.35	\$11,497.94	\$2,299.59	
	Maximum	\$196,651.00	\$245,813.75	\$49,162.75	
Category 2	Average	\$4,384.30	\$5,480.37	\$1,096.07	
	Median	\$4,486.51	\$5,608.14	\$1,121.63	
	Maximum	\$7,976.52	\$9,970.65	\$1,994.13	
Category 3	Average	\$872.42	\$1090.53	\$218.11	
	Median	\$450.00	\$450.00	\$0.00	
	Maximum	\$3,199.35	\$3,999.19	\$799.84	
Number by Range					
\$50,000 up		2	2		
\$25k – 49,999		1	4		
\$10k – 24,999		11	13		
\$5k – 9,999		45	52		
\$2500 – 4999		84	103		
\$1000 – 2499		156	165		
\$500 – 999		119	130		
Under \$500		431	380		
<b>Total</b>		<b>849</b>	<b>849</b>		

Currently 83% of the projects pay less than \$2500 for their TWA permit and 93% pay less than \$5000. Following implementation of the updated “P” coefficient, it is projected that 80% of the projects will pay less than \$2500 for their TWA permit and 92% will pay less than \$5000.

## TWA PROGRAM SUMMARY

The TWA program is subject to N.J.A.C. 7:1C-1.1 et seq., Rule and Regulations Governing 90-Day Construction Permits. An approval or denial must be issued within 90 working days of the submission of an administratively complete application. Although N.J.A.C. 7:1C only requires that the 90-day period start from the time of a complete application, the TWA program uses the submission date of the application, as the start of our review regardless of the quality of the submittal. All review time averages are based from the day the application is submitted to the Department. The average review time for all TWA applications during FY 2004 was 61 days. In many cases, the TWA permit is the last approval necessary prior to construction. Therefore, the Department has taken several initiatives to expedite the approval process.

The Department has established an expedited TWA program for all lateral connections and sewer extensions less than 400 feet in length. These applications are processed within 30 days of submission of a completed application. This program allows expedited permitting for projects of limited scope, which are more likely to be adversely impacted by permitting delays. In addition, those engineering firms that establish a record of administratively complete submissions are acknowledged by the Department and are allowed to request expedited applications for projects with an expanded eligible scope for sewer extensions up to 1000 feet the following year.

The program also includes a General Industrial TWA that is processed in a similar 30-day period. These applications include all industrial treatment facilities that are subject to Department approval.

The TWA program has consistently taken a progressive approach over the years, developed comprehensive checklists, and streamlined its reviews to make it an efficient permitting process. Applicants have a clear understanding of that is required for approval and can expect processing of their applications in a reasonable and predictable time frame within the limits established by the Rules and Regulations Governing 90-Day Construction Permits, N.J.A.C.7:1.1 et seq.

**APPENDIX A**

**TWA FEE REGULATIONS**

**N.J.A.C. 7:1C**

**Chapter 1C – Ninety Day Construction Permits**  
**Subchapter 1 – Ninety Day Construction Permits**

**7:1C-1.1 Purpose**

This chapter implements P.L. 1975, Chapter 232 (N.J.S.A. 13:1D-29 et seq.), to secure timely decisions by the Department of Environmental Protection on construction permit applications as defined therein, to assure adequate public notice of procedures thereunder, and to continue effective administration of the substantive provisions of other laws.

**7:1C-1.2 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Act" means N.J.S.A. 13:1D-29 et seq.

"Applicant" means any person requesting a construction permit who has submitted an application to the Department.

"Application form" means the permit application form required and provided by the appropriate agency.

"Appropriate agency" means:

1. The Land Use Regulation Program, PO Box 439, Trenton, NJ 08625-0439 for:

i. (Reserved)

ii. (Reserved)

iii. (Reserved)

iv. Stream encroachment permits under N.J.S.A. 58:16A-50 et seq.

2. The Division of Water Quality, CN 029, Trenton, NJ 08625 for:

i. A treatment works approval for the construction, change, improvement, alteration or extension of sanitary sewage collection and treatment systems issued pursuant to N.J.S.A. 58:10A-1 et seq. and N.J.A.C. 7:14A-22.

"Commissioner" means the Commissioner of the New Jersey Department of Environmental Protection and Energy

"Construction cost" means the project cost, not including financing or insurance charges, of that portion of a project which is subject to review for a construction permit.

"Construction permit" means:

1. (Reserved)

2. (Reserved)

3. (Reserved)

4. A permit issued pursuant to the "Flood Hazard Area Control Act," N.J.S.A. 58:16A-50 et seq. and the "Flood Hazard Area Control Regulations," N.J.A.C. 7:13; and

5. A treatment works approval for the construction, change, improvement, alteration or extension of sanitary sewage collection and treatment systems issued pursuant to N.J.S.A. 58:10A-1 et seq. and N.J.A.C. 7:14A-22.

Note: "Construction permit" does not include any approval of or a permit for an electric generating facility or for a petroleum processing or storage facility, including a liquefied natural gas facility, with a storage capacity of over 50,000 barrels.

"Department" means the New Jersey Department of Environmental Protection and Energy.

"DEPE Bulletin" means the official publication of the Department of Environmental Protection and Energy required by N.J.S.A. 13:1D-34, listing the status of pending construction permit applications.

"Person" means corporations, companies, associations, societies, firms, partnerships, and joint stock companies, as well as individuals, owners or operators of a domestic or industrial treatment works, the State, and all political subdivisions of the State or any agencies or instrumentalities thereof.

"Structure" means any assembly of materials above or below the surface of land or water, including but not limited to buildings, fences, dams, pilings, breakwaters, fills, levees, bulkheads, dikes, jetties, embankments, causeways, culverts, pipes, pipelines, roads, railroads, bridges and the facilities of any utility or governmental agency. Trees or other vegetation shall not be considered to be structures.

"Treatment works approval" means an approval issued pursuant to N.J.S.A. 58:10A-6 or N.J.A.C. 7:14A-22.

### **7:1C-1.3 Pre-application procedure and requirements**

(a) A pre-application review is an optional service especially recommended for major development. During this review the Department will discuss the apparent strengths and weaknesses of the proposed development, as well as the procedures and policies that would apply to the particular development. The conference is intended to provide guidance and does not constitute a commitment of approval or denial of a permit for the proposed development. However, if the appropriate agency determines that the proposed project is exempt from the permit requirement, the agency shall issue a written statement of such finding which shall bind the agency. The written statement issued as a result of a pre-application review shall be based solely on the information submitted by the applicant pursuant to (a) below.

1. A request for a pre-application review shall be made in writing and shall include a conceptual proposal of the proposed development, including a written description of the site and the proposed development including the dimensions, number, and uses of proposed structures, as well as a tax lot and block designation of the site.

(b) Prior to submitting an application to the Department, the applicant shall, if required by the appropriate agency, notify the following local agencies of intent to file an application by mailing them the completed application form, and shall obtain an acknowledgement of receipt of notification by certified mail return receipt requested:

1. Municipal clerk;

2. Municipal environmental commission, if any;

3. County environmental commission, if there is no municipal environmental commission;

4. Municipal planning board;

5. If applicable, those agencies which are required to be notified in accordance with the provisions of N.J.A.C. 7:13-2.2(a) 4.2.

(c) Applicants for stream encroachment permits shall follow the procedures set forth in the Flood Hazard Area Control Rules at N.J.A.C. 7:13.

(d) Applicants for a treatment works approval shall obtain the consent of the affected sewerage authority and/or municipality in accordance with the procedures at N.J.A.C. 7:14A-22.8.

(e) Applicants for CAFRA, Waterfront Development and coastal wetland permits shall follow the procedures set forth in the Coastal Permit Program Rules at N.J.A.C. 7:7.

#### **7:1C-1.4 Application for construction permit**

(a) To apply for a permit, the applicant shall prepare and submit a formal application to the appropriate agency.

1. The application shall consist of a complete application form, the fee required by N.J.A.C. 7:1C-1.5, and other materials of a format and content as specified by rules or checklist for individual permit programs.

2. Any inaccurate material which could affect the outcome of a permit decision or falsification of information submitted shall be cause for rejection of the application at any time during the review procedure, or voiding a permit approved before the misinformation was discovered.

#### **7:1C-1.5 Fees**

(a) Fees shall be charged for the review of any application for a construction permit in accordance with the following schedule:

1. (Reserved)

2. (Reserved)

3. (Reserved)

4. Stream encroachment permits:

i. As used in this paragraph, the following terms shall have the following meanings:

(1) "Drainage area" means the total area contributing run-off to a specified point, expressed in acres or square miles;

(2) "Minor stream encroachment project" means an encroachment project that does not require hydrologic and/or hydraulic review does not require review of any stormwater detention basin does not increase potential for erosion or sedimentation in stream and does not require substantial channel modification or relocation; and does not need to be reviewed for the zero percent or 20 percent "net fill" limitations other than that associated with a single family dwelling. These shall include, but are not limited to, the following activities in a floodplain: major desnagging and stream clearing, minor dredging projects, dug ponds without structure, stormwater discharge, including direct discharge into a floodplain, minor water intake facilities, minor regrading, utilities in the flood plain, each channel crossing of utility, bank stabilization at grade, minor bank reestablishment and/or protection projects, less than 100 linear feet of channel modification, less than 100 linear feet of a retaining wall four foot high or less, footbridges, bridge deck replacements, recreation and habitat management structures of the Division of Fish, Game and Wildlife, farming practices (including ditches) approved by the Soil Conservation Service, and projects whose major purpose is mosquito control pursuant to N.J.S.A. 26:9-1 et seq. Governmental agencies may combine their stream cleaning projects for a calendar year and submit them as one project which will be considered a minor project.

(3) "Major stream encroachment project" means a project that requires hydrologic and/or hydraulic review or the review of stormwater detention basin(s) or involves fill or structures necessitating review for compliance with the zero percent or 20 percent "net fill" limitation specified in N.J.A.C. 7:13. In addition, the following shall be classified as a major project: development where the applicant owns or controls more than one acre in a floodplain for commercial use or a subdivision of more than 10 acres for residential use. Major project elements shall include,

but not be limited to, the following activities within a floodplain: bridges, culverts, small dams, greater than 100 linear feet of channel modifications, and greater than 100 linear feet of a retaining wall more than four feet high.

ii. For each project element of minor stream encroachment projects, the fee shall be \$600.00 for each project element that is to be reviewed.

iii. For each project element of major projects, the fee shall be \$4,000 for each project element that is to be reviewed.

iv. For major stream encroachment projects requiring the establishment of an encroachment line or the modification to a stream, the fee shall be \$4,000 for each 1,000-foot reach of the channel or portion thereof.

v. For major stream encroachment projects that consist of an individual driveway culvert and fill in the floodplain for one single family residence, the fee shall be \$2,000 for the culvert and \$800.00 for the fill.

vi. Except as provided at (a)4vi above, an additional fee shall not be charged for projects involving fill associated with the development of a single family residential lot or for fill associated with bridges and culverts.

5. Treatment works approval fees shall be calculated as follows:

i. Applicants for a treatment works approval shall be categorized based on the construction costs of their projects as follows:

(1) Category 1 includes projects where the construction costs are greater than \$1,000,000;

(2) Category 2 includes projects where the construction costs are greater than \$250,000 but are less than or equal to \$1,000,000.

(3) Category 3 includes projects where the construction costs are less than or equal to \$250,000.

ii. Fees for treatment works approvals shall be based upon the coefficient "P" where:

(1)  $EB \div "P" = T1 + 2(T2) + 4(T3) + 1,500,000(N1) + 500,000(N2)$ ;

(2) "EB" = the estimated budget for the Department's treatment works approval program for the forthcoming fiscal year;

(3) "T1" = the sum of the construction costs for all projects in Category 1 from the prior fiscal year;

(4) "T2" = the sum of the construction costs for all projects in Category 2 from the prior fiscal year;

(5) "T3" = the sum of the construction costs for all projects in Category 3 from the prior fiscal year;

(6) "N1" = the total number of projects in Category 1 from the prior fiscal year; and

(7) "N2" = the total number of projects in Category 2 from the prior fiscal year.

iii. All applicants for a treatment works approval shall pay one of the following fees based upon the category in which the project falls as determined by (a)5i above:

(1) Category 1 fee =  $4P(\$250,000) + 2P(\$750,000) + P(\text{construction cost of the applicant's project} - \$1,000,000)$ ;

(2) Category 2 fee =  $4P(\$250,000) + 2P(\text{construction cost of the applicant's project} - \$250,000)$ ; or

(3) Category 3 fee = 4P(construction cost of the applicant's project).

iv. An applicant for a treatment works approval shall pay a minimum fee of \$450.00.

v. The Department shall prepare an annual fee schedule report which will include the following:

(1) The coefficient "P" of the fee formula derived from the equation in (a)5ii above;

(2) A detailed financial statement showing the estimated budget for the forthcoming fiscal year. The statement shall include a breakdown of the treatment works approval program by account title (for example, print and office supplies, vehicular, and maintenance of vehicles); and

(3) A detailed financial statement of the previous fiscal year's actual expenditures including a breakdown by account titles, total by category of permits reviewed, actual revenue and any credit/deficit to be carried forward to the next fiscal year.

vi. The Department shall hold a public hearing concerning the fees to be assessed for the forthcoming fiscal year only when projected fees exceed 10 percent increase as compared to the previous fiscal year's fees. The Department shall hold the hearing prior to the actual assessment of fees. The Department shall provide public notice of the hearing in the New Jersey Register, DEP Bulletin, and several newspapers with general circulation.

vii. In those years not requiring a public hearing, publication of the forthcoming fiscal year's coefficient "P" together with a synopsis of the annual fee schedule report shall appear in the New Jersey Register, DEP Bulletin and several newspapers with general circulation.

viii. The annual fee schedule report may be obtained, at any time after public notice is published in accordance with (a)5vi or vii above, by submitting a request and self addressed 10 inch by 13 inch (minimum size) envelope to:

New Jersey Department of Environmental Protection  
Environmental Regulation  
Division of Water Quality  
Bureau of Construction and Connection Permits  
Annual Report Request  
CN-029, 3rd floor  
Trenton, New Jersey 08625

(b) Extensions of time for issued treatment works approvals will be granted in accordance with N.J.A.C. 7:14A-22.12.

1. Besides the base fee, an additional \$50.00 shall be charged for each extension of time requested for a Category 3 treatment works approval, and \$150.00 for each extension of time requested for a Category 1 or 2 treatment works approval.

(c) The Department shall assess a single permit fee for a project which requires more than one of the following permits, if the permit applications are submitted and processed simultaneously: CAFRA permits; waterfront development permits; coastal wetlands permits; stream encroachment permits; or freshwater wetlands permits (including individual permits, general permits, and transition area waivers) issued under N.J.A.C. 7:7A. The permit fee for the project is equal to the sum of the following:

1. The single highest permit fee for the above listed permits required for the project; and

2. Seventy-five percent of the sum of the permit fees for all other permits required for the project.

(d) For the purposes of this section, a modification to an issued permit will be processed for modified projects which will not result in a significant change in the scale, use, or impact of the project as approved. The

determination as to what constitutes a significant change is within the sole discretion of the Department and will be based on a review of the original application file and the new information submitted by the applicant. A change that will cause less environmental impact than the original project will not constitute a "significant change." Significant changes generally include, but are not limited to, increased clearing, grading, filling or impervious coverage, reduction in buffers, change in foot print location, and a change in the hydraulics of a stream.

1. The fee for a request for an approval of a modification of the approved project shall be one-quarter of the total original permit fee or a minimum of \$100.00.

2. The application fee for a minor modification to a Waterfront Development, Coastal Wetlands, or CAFRA permit is \$100.00; and

3. The application fee for a major modification to an Upland Waterfront Development or CAFRA permit is 20 percent of the total original permit fee, with a minimum fee of \$250.00 and a maximum fee of \$5,000.

(e) The Department may also charge additional fees to engage such essential expertise as may be necessary for the processing and review of large scale and complex projects. The applicant will be consulted before imposition of such fees.

(f) Where a public hearing is conducted, the cost thereof, including but not limited to court reporter attendance fees, transcript costs, hearing officer fees and hearing room rental, shall be borne by the applicant unless otherwise determined by the Department for good cause shown.

(g) All fees shall be paid by check, made payable to the "Treasurer, State of New Jersey—Environmental Services Fund" and shall accompany the application.

(h) The Department shall annually adjust the fees for each activity provided in this section for stream encroachment permits. The Department shall calculate a fee adjustment factor annually, and multiply each fee by that fee adjustment factor. The Department shall calculate the fee adjustment factor by taking the following steps:

1. Project the total amount of money required to fund each 90-day permit program in the coming year. This projection shall be based upon the following data:

i. The number and type of Department staff required to perform each activity for which fees are charged;

ii. The total salaries of those staff members;

iii. The cost of fringe benefits for those staff members, calculated as a percentage of salaries, which percentage is set by the New Jersey Department of the Treasury based upon costs associated with pensions, health benefits, workers' compensation, disability benefits, unused sick leave, and the employer's share of FICA;

iv. Indirect costs attributable to those staff members. "Indirect costs" means costs incurred for a common or joint purpose, benefiting more than one cost objective, and not readily assignable to the cost objective specifically benefited without effort disproportionate to the results achieved. Indirect costs shall be calculated at the rate negotiated annually between the Department and the United States Environmental Protection Agency, multiplied by the total of salaries and fringe benefits;

v. Operating expenses (including, without limitation, expenses for postage, telephone, travel, supplies and data system management) attributable to those staff members; and

vi. The budgeted annual cost of legal services rendered by the Department of Law and Public Safety, Division of Law, in connection with each of the permit programs listed in the introductory language of (h) above.

2. Project the total amount to be available from sources other than fees, such as State appropriations or Federal grants;

3. Subtract the amount in (h)2 above from the amount in (h)1 above. The remainder is the fee revenue necessary for the coming year;

4. Divide the fee revenue necessary for the coming year by the fee revenue which was necessary for the current year;

5. Divide the volume of permit applications the Department received in the current year by the volume it expects to receive in the coming year. In projecting the expected volume of permit applications, the Department shall consider the following factors:

i. The volume of permit applications received in previous years;

ii. Based on (h)5i above, any trends toward an increasing or decreasing volume of permit applications;

iii. Information indicating a trend toward increasing or decreasing construction activity in various areas of the State; and

iv. Other data concerning economic trends reasonably likely to influence the volume of permit applications; and

6. Multiply the number provided in (h)5 above by the number provided in (h)4 above. This result is the fee adjustment factor.

(i) Each year, the Department shall prepare an Annual Ninety-Day Construction Permit Fee Schedule Report. Promptly after completing the report, the Department shall publish in the New Jersey Register a notice of opportunity for public input setting forth the adjusted fees. The notice shall state that the report is available and direct interested persons to contact the Department for a copy of the report and to provide comments within 45 days of the notice date. The Department shall promptly provide a copy to each person requesting a copy. The Department will evaluate the comments submitted and publish its findings and the final adjusted fees with their operative dates in a notice of administrative change, pursuant to N.J.A.C. 1:30-2.7(c).

(j) The Department will not make the adjustment of fees provided in (h) above or prepare the report described in (i) above for any one-year period ending June 30, if in that period the Department proposes or promulgates amendments to any fees for stream encroachment permits.

(k) Any fee under this section that is subject to N.J.A.C. 7:1L shall be payable in installments in accordance with N.J.A.C. 7:1L.

#### **7:1C-1.6 DEP Bulletin**

(a) The Department shall publish in the "DEP Bulletin", a report of the receipt of each new application and each agency action on applications currently before it. An annual subscription for the DEP Bulletin will be distributed free of charge to each of the municipalities, each of the county planning boards, and each New Jersey public depository. All other interested persons shall pay an annual subscription fee of \$50.00 per subscription requested to cover printing and mailing costs. Publication in the "DEP Bulletin", constitutes constructive notice to all interested persons of Department actions on construction permits.

(b) The application status report shall include, but is not limited to:

1. The applicant's name;

2. The agency project number;

3. The nature of the project;

4. The date and description of significant agency action on the project.

### **7:1C-1.7 Review of application**

(a) Within a maximum of 20 working days following the date of receipt of the application, the appropriate agency shall:

1. Accept the application for filing, assign an agency project number, and proceed to review on the merits; or
2. Assign an agency project number, accept the application for filing, but request in writing that the applicant submit within a specific period of time, additional information to assist in its review. In such cases, the application will not be considered complete for final review or public hearing until all the additional information has been received and deemed acceptable for review; or
3. Return the application without filing, explaining why it is unacceptable for review, and return the filing fee upon notification that the applicant does not intend to reapply.
4. Following the assignment of the agency project number, the initial application status report will be published in the DEP Bulletin.
5. The Department shall consider written initial comments from public agencies and other interested persons, received at or within 15 days after the public hearing, if one is held, or during the public comment period. Additional comments received after this date will also be included in the application file and may be considered by the Department in the application review process if relevant to the application.

(b) Except as provided in N.J.A.C. 7:50-4.1, an application subject to these rules for development of any land within the Pinelands Area as defined in N.J.A.C. 13:18A-11 is not complete unless and until the applicant has in his or her possession a Certificate of Filing, a Certificate of Compliance or an Approval Resolution from the Pinelands Commission for the proposed development of that land. Pursuant to N.J.A.C. 13:18A-10(c), no approval shall be granted for an application subject to these rules for any development in the Pinelands Area unless that development conforms to all applicable provisions of the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50).

(c) (Reserved)

(d) Notwithstanding the requirements of (a) above, applications for stream encroachment permits shall be reviewed in accordance with the procedures set forth in the Flood Hazard Area Control Rules at N.J.A.C. 7:13.

(e) Applications for treatment works approvals shall be reviewed in accordance with the procedure set forth in the treatment works approval rules, N.J.A.C. 7:14A-22 and 23.

### **7:1C-1.8 Decision on permit application**

(a) The Department shall approve, condition, or disapprove an application for a construction permit within 90 days following the date of receipt of an application that has been accepted for filing, except when additional information has been requested pursuant to N.J.A.C. 7:1C-1.7(a)2. In the latter case, the Department shall make a decision on the permit application within 90 days following the date of receipt of the information requested. The date of receipt of the application or of the additional information requested is the date that an application or additional information is received by the appropriate agency.

(b) (Reserved)

(c) Where a project requires more than one type construction permit, an approval of one permit shall be conditioned on the applicant obtaining approval on the remaining necessary permits.

(d) If the Department fails to act within this time period the application shall be deemed to have been approved, to the extent that the application does not violate other statutes or regulations then in effect, and subject to any standard terms and conditions applicable to such permits. The Department shall promptly publish in the DEP Bulletin a notice that the application has been deemed approved.

(e) This time period may be extended for a one time only 30 day period by the mutual consent of the applicant and the appropriate agency, provided that the applicant or the appropriate agency, request from the other such an extension prior to the expiration date for the approval, conditioning, or disapproval of such an application.

(f) The effect of disapproval is as follows:

1. A disapproval without prejudice is a disapproval of the application. However, a subsequent application by the same applicant for a revised project of the same or reduced scope on the same site may be submitted within one year of the date of disapproval without additional fees (limited to one resubmittal, without additional fee). The resubmitted application will be treated as a new application, although references may be made to the previously reviewed application.

2. A disapproval with prejudice is a disapproval of the application.

### **7:1C-1.9 Appeals**

(a) (Reserved)

(b) An appeal of an approval or denial of a stream encroachment permit shall be to the Commissioner in accordance with the procedures of N.J.A.C. 7:13-4.10.

(c) Any interested person who considers himself or herself aggrieved by the approval or denial of a treatment works approval for the construction, change, improvement, alteration or extension of sanitary sewage collection systems may, within 10 days of publication of notice of the decision in the DEP Bulletin, or within 10 days of publication of notice of the decision by the permittee pursuant to (d) below, whichever occurs first, request a hearing by addressing a written request for such hearing to the Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests, Department of Environmental Protection, CN 402, Trenton, New Jersey 08625-0402.

1. The written notice of request for hearing on appeal shall include the appropriate agency project number and where the appeal is taken by someone other than the applicant, evidence that a copy of the written request for hearing an appeal has been mailed to the Applicant.

2. The person appealing the decision shall, within 14 days of the date on which the initial hearing request was postmarked, submit an additional statement describing, in detail, how that person is aggrieved by the decision, and which findings of fact and conclusions of law are being challenged.

(d) A permittee may, if it so desires, publish notice of the final decision in a newspaper of Statewide circulation and a newspaper of regional circulation which includes the municipality in which the project site is located, and by certified mail to any person who requested such notice. The Department shall maintain a list of such newspapers and a list of all persons who have requested notice of the decision.

(e) Pending the decision on appeal by the Commissioner and upon a typewritten request with stated reasons therefore, the Commissioner may stay the issuance of the permit, for good cause shown, upon such terms and conditions as are deemed proper. The request for stay of issuance of the permit shall be made within 21 days of the issuance of the decision of the Commissioner on the permit application.

(f) Where a request for a hearing on appeal has been granted, the request shall be referred to the Office of Administrative Law for the holding of a fact finding hearing pursuant to the Administrative Procedure Act (N.J.S.A.

52:14B-1 et seq.), after which the decision on appeal shall be rendered by the Commissioner within the time frame specified in N.J.S.A. 52:14B-10.

(g) Nothing in this section shall be construed to provide a right to an adjudicatory hearing in contravention of N.J.S.A. 52:14B-3.1 through 3.3 (P.L. 1993, c.359).

#### **7:1C-1.10 Other State statutes, rules and regulations**

The powers, duties and functions vested in the Department under the provisions of the act or these regulations shall not be construed to limit in any manner the powers, duties and function vested therein under any other provisions of law, except as specifically set forth in these regulations.

#### **7:1C-1.11 Severability**

If any section, subsection, provision, clause or portion of this Chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Chapter shall not be affected thereby.

#### **7:1C-1.12 Related regulations**

(a) This subchapter does not supersede or preempt specific rules and regulations establishing procedures for the individual construction permit programs administered by appropriate agencies within the Department, unless the context so requires or specific provisions so prescribe. In order to assist applicants in the use of this subchapter and the specific programmatic rules and regulations, this section sets forth the provisions in the programmatic rules which are in addition to or supersede this subchapter.

(b) For a stream encroachment permit, reference should be made to the following:

1. For the pre-application conferences, the requirements of N.J.A.C. 7:13-4.3 are in addition to 7:1C-1.3; and
2. For application information, the requirements of N.J.A.C. 7:13-4.1 are in addition to N.J.A.C. 7:1C-1.4.

(c) The requirements of this subchapter concerning appeals from the Department's decisions on treatment works approvals for the construction, change, improvement, alteration or extension of sanitary sewage collection and treatment systems supersedes N.J.A.C. 7:14A.

**APPENDIX B**

**TWA PROGRAM**

**WORK PLANS**

The FY2004 work plans for the Bureaus of Engineering South, Engineering South, Administration and Management, and Non-Point Pollution Control assigned a total of 18.5 work years to the TWA program. There was also an additional 0.5 work years for the TWA program associated with Assistant Director and Director's office.

The FY2005 work plans for the Bureaus of Non-Point Pollution Control, Permit Management, and Financing and Construction Permits assigned a total of 17.5 work years to the TWA program. There was also an additional 0.5 work years for the TWA program associated with Assistant Director and Director's office.

### FY2005 TWA BUDGET SUMMARY

BUREAU	TOTAL WORK YEARS	TOTAL SALARY
Financing & Construction Permits	14	\$ 938,000
Permit Management	2	\$ 134,000
Nonpoint Pollution Control	1.5	\$ 100,500
Director/Asst. Dir. Office	0.5	\$ 33,500
<b>SUBTOTAL</b>	<b>18</b>	<b>\$1,206,000</b>
<b>FRINGE</b>		<b>\$ 400,995</b>
<b>INDIRECT</b>		<b>\$ 421,193</b>
<b>TOTAL PERSONNEL COST</b>		<b>\$2,028,188</b>
<b>TOTAL OPERATING COST</b>		<b>\$ 96,480</b>
<b>TOTAL PROGRAM COSTS</b>		<b>\$2,124,668</b>

ACTIVITY/TASK OBJECTIVE	DESIRED OUTPUT	REQUIRED FTE	ASSIGNED FTE	1st qtr.	2nd qtr.	3rd qtr.	4th qtr.	TOTAL	COMMENTS	PRIORITY
BFCP WORKPLAN										
I. TWA PROGRAM										
*CLEAN & PLENTIFUL WATER										
TWA-STAGE II & III INCLUDING MODIFICATIONS, WITHDRAWLS, DENIALS	800	10	10	200/217	200/152	200	200	800/369	TREATMENT WORKS APPROVALS (TWA'S)-TRADITIONAL PROGRAM	1
SEWER CONNECTION BANS AND CAPACITY ASSURANCE PROGRAM REVIEWS	63	2.5	1	5/3	6/1	7	7	25/4	BANS IMPOSED, RESCINDED, EXEMPTION REVIEWS & RELATED ISSUES	12
GENERAL ASSISTANCE TO OTHER PROGRAMS	68	2	1.5	8/13	20/12	20	20	51/25	HEARINGS, ACO REVIEWS, CSO LETTERS	14
NJEMS ENHANCEMENTS	1	0.7	0.2	0/0	1/0	0	0	1		
OPRA REQUESTS	900	1	1	225/315	225/333	225	225	900/648		
FEDERAL GRANT TO EVALUATE STP'S	2	0.3	0.3	1/1	0/1	1	0	2/2	STP & OPERATIONS EVALUATIONS	8
<b>TWA PROGRAM SUBTOTAL</b>		<b>16.5</b>	<b>14</b>							
II. SRF PROGRAM										
*CLEAN & PLENTIFUL										
PLANNING										
CWSRF	20	2.2	2.2	1/19	1/1	8	10	20/20		2
DWSRF	20	1.8	1.8	1/9	1/1	8	10	20/10		3
PINELANDS	0	0	0	0/0	0/0	0	0	0/0		15
SIIA (I/C & CSO)	0	0	0	0/0	0/0	0	0	0/0		9
DESIGN										
CWSRF	20	4.5	4.5	1/31	1/1	5	13	20/32		4
DWSRF	20	3	3	1/15	1/0	5	13	20/15		5
PINELANDS	0	0	0	0/0	0/0	0	0	0/0		16
SIIA (I/C & CSO)		0.2	0.2	1/0	1/0	0	0	2/0		11
CERTIFICATIONS										
CWSRF	20	2.2	2.2	0/21	0/1	0	20	20/22		6
DWSRF	20	2	2	0/15	0/0	0	20	20/15		7
PINELANDS	0	0	0	0/0	0/0	0	0	0/0		17
SIIA (I/C & CSO)	2	0.1	0.1	1/0	1/0	0	0	2/0		13
<b>SRF PROGRAM SUBTOTAL</b>		<b>16</b>	<b>16</b>							
The projects/activities under the Clean Water SRF Program, SIIA Financing Program, CSO Permitting Program, Treatment Works Approval Program and Drinking Water SRF Program serves the Department's Goals For Clean and Plentiful Water under the Strategic Plan and the Environmental Results established through the NEBPS Process.										
* Highest Priority = 1										

ACTIVITY/TASK OBJECTIVE	DESIRED OUTPUT	REQUIRED FTE	ASSIGNED FTE	1st qtr.	2nd qtr.	3rd qtr.	4th qtr.	TOTAL	COMMENTS	PRIORITY
<b>III. CSO PROGRAM</b>										
				P/A	P/A	P/A	P/A	P/A	*CLEAN & PLENTIFUL WATER	
<b>CSO PERMITTING</b>	<b>68</b>	<b>7</b>	<b>5</b>	<b>10/10</b>	<b>26/11</b>	<b>8/</b>	<b>4/</b>	<b>48/21</b>		<b>10</b>
PPPWO-Review	18	0.9	0.90	2/0	14/4	2/	0/	18/4		
Monitoring Report Review	8	1.2	0.75	1/2	0/0	2/	1/	4/2		
Modelling Report Review	8	0.8	0.75	1/1	0/0	2/	1/	4/1		
POTW-LTCP Module Development	1	0.3	0.30	1/1	0/0	0/	0/	1/1		
POTW-LTCP Permit Revoke & Reissuance	8	0.32	0.30	0/1	0/0	3/	5/	8/1		
New RFA Issuances	8	0.32	0.30	2/2	4/3	1/	1/	8/5		
Enforcements	4	0.4	0.40	1/1	1/1	1/	1/	4/2		
TWA Reviews	3	0.3	0.30	1/1	1/1	4/	4/	10/2		
Program Developments	10	2.5	1	1/1	1/1	1/	1/	4/2	Program Development and other administration work such as Permit Management Tracking, Adjudiciary Appeals, Pilot Study for disinfection technology etc. are being done with available resources.	
<b>CSO PROGRAM SUBTOTAL</b>		<b>7.04</b>	<b>5.00</b>							

**DIVISION OF WATER QUALITY**  
**BUREAU OF NONPOINT POLLUTION CONTROL**  
**FY05 Workplan**

3/28/2005

Activity Task or Objective	Desired Outputs	Req. FTE	Assign. FTE	1Q	Act.	2Q	Act.	3Q	Act.	4Q	Act.	Total	Actual Total	Comments
<b>A. Core Activity: Permit Development/Issuance</b>														
1. General/Generic Permit Development	2	4	4	0	0	0	0	1		1		2	0	Quarries, Scrap, Failing T1, Compost
2. Stormwater Permit Actions		7	7											Individual permit backlog will continue to be reduced
a. New & Renewal Individual Permits (ST)	77	6	6	10	8	10	6	10		10		40	14	
b. Other Individual Permit Actions (ST)	8	1	1	2	6	2	2	2		30		36	8	Major & minor mods, revocations, and withdrawals
3. Ground Water Permit Actions		10	10											Individual permit backlog will be reduced but will still continue.
a. New Individual Permits (DGW)	10	2.5	2.5	2	2	2	3	3		3		10	5	Includes new construction and existing unpermitted facilities (new construction will all be permitted).
b. Individual Renewal Permits (DGW)	94	5	5	10	13	10	16	10		10		40	29	Individual permit backlog will continue to be reduced
c. New Permits & Denials (TWA)	24	1.5	1.5	6	10	6	3	6		6		24	13	
d. Other Individual Permit Actions (DGW)	12	1	1	3	11	3	6	3		3		12	17	Major & minor mods, revocations, and withdrawals
4. a. General Permits Authorizations (ST&DGW)	730	3	3	110	58	110	38	400		110		730	96	Includes scrap metal general permit in second permit
b. Other Permit Actions - General (ST&GW)	60	1	1	15	66	15	37	15		15		60	103	
3. Smart Growth Permits	60	6	0	0	0	0	0	15		45		60	0	
<b>Core Activity Total</b>		<b>30</b>	<b>25</b>											
<b>B. Core Activity: Program/Rule Development: Nonpoint Source Coordination</b>														
1. Onsite Wastewater Management Rules	1	1	1	0	0	0	0	0		1		1	0	Includes Innovative and Alternative Technology Initiative/Failing Septics/Chapter 199 Proposal
2. NJPDES Rules Development	1	1	1	0	0	0	0	0		0		0	0	NJPDES
3. Nonpoint Source Coordination	12	1	1	3	9	3	9	3		3		12	18	Includes ASR Team; Beneficial Reuse; NEPPS; Radium Task Force



**Strategic Plan Goal:** Clean and Plentiful Water (B 11)

**PPA Goal:** SW - New Jersey's rivers, lakes and coastal waters will be fishable, swimmable and support healthy ecosystems. Adequate quantities of clean surface water will be available for all needed uses.

**PPA Subgoal:** Surface Water - #1 Meet Surface Water Quality Standards. #2 Protect and enhance aquatic life designated uses.

**PPA Supported Activities:** SWC-32.0, SWC-43.0, SWC-44.0, SWC-48.0, SWC-49.0, SWC-84.0, SWC-101.0, SWC-107.0, SWC-112.0, SWC-121.0, SWC-122.0

**PPA Goal:** GW - Adequate quantities of clean ground water will be available for all needed uses.

**PPA Subgoal:** Ground Water - #1 Ground water will meet all standards for designated uses and ground water discharging to surface waters will not adversely impact the surface water system.

**PPA Supported Activities:** GWC-4.0, GWC-22.0

I. Core Activity: Data Management A. In accordance with N.J.A.C. 7:14A, provide data management services in support of the NJPDES permit program.

ACTIVITY / TASK / OBJECTIVE	Priority	DESIRED OUTPUT	REQUIRED FTE	ASSIGNED FTE	OUTPUTS BY QUARTER					COMMENTS	
					PROJECTED / ACTUAL	1	2	3	4		T
<b>1. MRF Management (NJEMS)</b>											
1a. Prep. & Mass Mailing for MRFs	1	4	0.18	0.18	Projected	1	1	1	1	4	
					Actual					0	
1b. Acknowledge DMRs, WCRs and RTRs (forms)	2	29000	0.20	0.20	Projected	7250	7250	7250	7250	29000	
					Actual					0	
1c. DMR, WCR, RTR data entry and verification (full page equivalents)	3	33200	1.58	1.58	Projected	8300	8300	8300	8300	33200	
					Actual					0	

ACTIVITY / TASK / OBJECTIVE	Priority	DESIRED OUTPUT	REQUIRED FTE	ASSIGNED FTE	PROJECTED / ACTUAL	OUTPUTS BY QUARTER					COMMENTS
						1	2	3	4	T	
1d. MRF data entry corrections (records)	4	4500	0.06	0.06	Projected	1125	1125	1125	1125	4500	
					Actual					0	
1e Prepare & evaluate status reports; conduct forms retrieval (monthly); MRF post screening; and perform SNAP comment corrections	7	Ongoing	0.26	0.26	Projected	NA	NA	NA	NA		
					Actual						
1f EDI Implementaion	7	Ongoing	0.07	0.07	Projected	NA	NA	NA	NA		xxx participants (115 previous quarter) as of 9/30/2004. Outreach activities will continue.
					Actual						EDI accounts for xx% of the total records entered into NJEMS.
<b>2. Miscellaneous</b> 2a. Program Management-workplan, budget, Enforcement Coordination, staff meetings, personnel activities, training, unit supervision, clerical support, public information requests, reporting	9	Ongoing	3.68	3.68	Projected	NA	NA	NA	NA		
					Actual						
2b. Outreach & Education Customer Assistance; OPRA	8	Ongoing	1.62	1.62	Projected	NA	NA	NA	NA		Assistance to internal/external customers, phone calls, seminars, etc.
					Actual						OPRA requests processed to date: xxx
<b>3. Administrative Reviews</b>											
3a. Process applications (reviews) NJPDES	5	800	1.45	1.45	Projected	200	200	200	200	800	
					Actual					0	
3b. Process applications (TWA) Regular & Gen Ind		824	0.57	0.57	Projected	206	206	206	206	824	
					Actual					0	
3c. Pre-application meetings (TWA)		240	0.15	0.15	Projected	60	60	60	60	240	
					Actual					0	
3d. Administrative permit expirations, inactivations & transfers (minor mods)	6	400	0.64	0.64	Projected	100	100	100	100	400	
					Actual					0	Administrative updates to Masterfile: xxx to date this FY

**Strategic Plan Goal:** Open and Effective Government (F 49)

The Department will fulfill its mission and achieve its vision and goals through the involvement of citizens and stakeholders as critical partners and through a commitment to quality principles and methods as a means to continuous improvement of its operations.

**PPA Goal:**

Information and Analysis - the information/data that NJDEP collects must be carefully selected, managed and used in an integrated fashion to help achieve NJDEPs goals, support its operations and report its results.

**PPA Subgoal:**

**PPA Supported Activities:**

OGC-89.0

I. Core Activity: NJPDES Fee Management

A. In accordance with N.J.A.C. 7:14A, provide fee management services in support of the NJPDES and TWA permit programs.

ACTIVITY / TASK / OBJECTIVE	Priority	DESIRED OUTPUT	REQUIRED FTE	ASSIGNED FTE	OUTPUTS BY QUARTER					COMMENTS	
					PROJECTED / ACTUAL	1	2	3	4		T
1. Prepare FY2004 Assessments, Fee Report, Public Notice, RTC & Adoption	1	Ongoing	0.45	0.45	Projected	0	1	0	0	1	Fee report targeted 11/04; Public Hearing targeted 12/04
					Actual						Adoption notice targeted for 2/05 NJR
2. Prepare FY2004 Billing and manage collections	2	Ongoing	0.55	0.55	Projected	0	0	1	0	1	
					Actual						Billing scheduled for 1/28/2005
3. Delinquent bill management and Fee rule-part of NJPDES Reauth.	3	Ongoing	0.31	0.31	Projected	NA	NA	NA	NA		FY2000 collections (4/4/03) = \$11,614,778 (94%); FY2001 collections (1/20/04) = \$11,407,252 (92%); FY2002 collections to date (1/20/04) = \$12,238,704 (98%)
					Actual						FY2003 collections to date (1/20/04) = \$11,363,768 (84%)
4. Process TWA application fees	4	Ongoing	0.06	0.06	Projected	NA	NA	NA	NA		
					Actual						FY2005 collections to date (x/xx/04) = \$

**Strategic Plan Goal:** Open and Effective Government (F 52)

The Department will fulfill its mission and achieve its vision and goals through the involvement of citizens and stakeholders as critical partners and through a commitment to quality principles and methods as a means to continuous improvement of its operations.

**PPA Goal:**

Information and Analysis - the information/data that NJDEP collects must be carefully selected, managed and used in an integrated fashion to help achieve NJDEPs goals, support its operations and report its results.

**PPA Subgoal:**

**PPA Supported Activities:**

OGC-49.0, OGC-50.0, OGC-51.0 and SWC-43.0, SWC-44.0, SWC-48.0, SWC-49.0

I. Core Activity: Data System Operations

A. Continue data system operations in support of the NJPDES permit program.

ACTIVITY / TASK / OBJECTIVE	Priority	DESIRED OUTPUT	REQUIRED FTE	ASSIGNED FTE	PROJECTED / ACTUAL	OUTPUTS BY QUARTER					COMMENTS
						1	2	3	4	T	
1. PCS system updating	3	Ongoing	0.72	0.72	Projected	NA	NA	NA	NA		x,xxx records processed thru 9/30/2004
					Actual						
2. PCS direct data entry - process administrative updates and maintaining DSW permit actions	4	Ongoing	1.31	1.31	Projected	200	200	200	200	800	
					Actual					0	
3. Water System management	2	Ongoing	0.70	0.70	Projected	NA	NA	NA	NA		
					Actual						
4. NJEMS Maintenance, Development, Monitoring, Reports, & Programming	1	Ongoing	3.44	3.44	Projected	NA	NA	NA	NA		NJPDES data extracted from NJEMS and uploaded to PCS thru xxx 2004
					Actual						
<b>TOTALS:</b>			18.00	18.00							

0.00 Temps (Paid from Operating Budget)

0.00 Planned XP

18.00 Available BPM FTEs

0.00 Furlough anticipated

18.00 Actual BPM FTEs

ACTIVITY/TASK OBJECTIVE	DESIRED OUTPUT	REQUIRED FTE	ASSIGNED FTE	1st qtr.	2nd qtr.	3rd qtr.	4th qtr.	TOTAL	COMMENTS	PRIORITY
<b>1. DESIGN SECTION</b>				<b>P/A</b>	<b>P/A</b>	<b>P/A</b>	<b>P/A</b>	<b>P/A</b>	PROJECTED/ACTUAL	
<b>TWA PROGRAM</b>									*CLEAN & PLENTIFUL WATER	
TWA-STAGE II & III INCLUDING MODIFICATIONS, WITHDRAWALS, DENIALS	400	5.5	5.5	105/109	95/98	95/102	105/91	400/400	TREATMENT WORKS APPROVALS (TWA'S); NJEMS IMPLEMENTATION	1
SEWER CONNECTION BANS AND CAPACITY ASSURANCE PROGRAM REVIEWS	12	0.5	0.4	2/0	3/0	3/0	2/0	10/0	BANS IMPOSED, RESCINDED, EXEMPTION REVIEWS & RELATED ISSUES	13
GENERAL ASSISTANCE TO OTHER PROGRAMS	32	1.38	1.0	7/16	8/17	4/7	8/13	30/87	HEARINGS, ACO REVIEWS, CSO LETTERS	12
FEDERAL GRANT TO EVALUATE STP'S	2	0.3	0.3	2/1	1/1	1/2	0/4	4/8	STP & OPERATIONS EVALUATIONS	8
CSO PROGRAM	4	1	0.3	0/0	0/0	2/0	2/1	4/1		
<b>PLANNING</b>									*CLEAN & PLENTIFUL WATER	
CWSRF	10	2	1.7	7/7	0/0	1/0	1/5	9/12		2
DWSRF	12	2.5	2.3	9/1	0/0	1/1	1/6	11/8		3
PINELANDS	0	0	0.0	0/0	0/0	0/0	0/0	0/0		14
SIIA (I/C & CSO)	0	0	0.0	0/0	0/0	0/0	0/0	1/0		9
<b>DESIGN</b>										
CWSRF	10	1.8	1.5	7/9	0/0	1/0	1/0	9/9		4
DWSRF	12	2	1.7	9/3	0/0	1/2	1/0	11/5		5
PINELANDS	0	0	0.0	0/0	0/0	0/0	0/0	0/0		15
SIIA (I/C & CSO)	1	0.2	0.2	0/0	0/0	1/0	0/0	1/0		10
<b>CERTIFICATIONS</b>										
CWSRF	10	0.8	0.7	9/10	0/0	0/0	0/0	9/10		6
DWSRF	12	1	0.9	11/5	0/0	0/0	0/0	11/5		7
PINELANDS	0	0	0.0	0/0	0/0	0/0	0/0	0/0		16
SIIA (I/C & CSO)	1	0	0.0	0/0	0/0	1/0	0/0	0/0		11
<b>SUBTOTAL</b>		<b>18.98</b>	<b>16.5</b>							

ACTIVITY/TASK OBJECTIVE	DESIRED OUTPUT	REQUIRED FTE	ASSIGNED FTE	1st qtr.	2nd qtr.	3rd qtr.	4th qtr.	TOTAL	COMMENTS	PRIORITY
<b>II. CONSTRUCTION SECTION</b>										
<b>1. STEP 3 CONSTRUCTION</b>										
<b>A. PRECONSTRUCTION CONFERENCE</b>	23	0.345	0.3	5/11	5/5	5/6	5/4	20/26		2
<b>B. INTERIM AND FINAL INSPECTIONS</b>	336	4.872	2.9	50/73	51/80	51/95	51/90	203/338		4
<b>C. PRECONSTRUCTION LAG MANAGEMENT &amp; CHANGE</b>	87	1.930	0.8	9/17	9/29	9/19	9/6	96/71		4
<b>D. RESOLUTION OF MAJOR PROBLEMS</b>	3	0.171	0.1	0/1	1/1	0/0	0/0	1/2		2
<b>E. AUTHORIZATION TO AWARD REVIEW</b>	23	0.414	0.4	6/11	5/5	6/6	6/4	23/26		2
<b>F. MONITOR CONSTRUCTION CLAIMS</b>	2	0.250	0.1	0/1	0/0	0/0	1/1	1/2		4
<b>G. GRANT AMENDMENT, INTERIM AND FINAL</b>	205	2.050	1.9	47/49	48/44	48/70	48/58	191/221		3
<b>H. CWSRF, DWSRF &amp; PINELANDS DESIGN AND ENVIRONMENTAL REVIEWS</b>	11	0.473	0.2	0/0	0/0	2/0	2/0	4/0		4
<b>2. PROJECT CERTIFICATION INSPECTIONS</b>	44	0.660	0.4	5/10	6/13	6/13	6/13	23/49		5
<b>3. GENERAL</b>										
<b>A. CONSTRUCTION COMPLIANCE INSPECTIONS</b>	949	3.000	1.9	147/93	147/82	148/147	149/149	591/471		2
<b>TWA PERMITTING</b>	36	0.500	0.5	9/10	9/10	9/10	9/10	96/40		
<b>SUBTOTAL CONSTRUCTION</b>		<b>14.665</b>	<b>9.5</b>							
<b>TOTAL</b>		<b>33.645</b>	<b>26.0</b>							
<p>The projects/activities under the Clean Water SRF Program, SIA Financing Program, CSO Permitting Program, Treatment Works Approval Program and Drinking Water SRF Program serves the Department's Goals For Clean and Pientiful Water under the Strategic Plan and the Environmental Results established through the NEPPS Process.</p> <p>* Highest Priority =1</p>										

SFY 2004 WORK PLAN  
BUREAU OF ENGINEERING NORTH

ACTIVITY/TASK OBJECTIVE	DESIRED OUTPUT	REQUIRED FTE	ASSIGNED FTE	PRIORITY*	PROJECTED/ACTUAL OUTPUTS P/A					COMMENTS AND/OR STRATEGIC PLAN LINK
					1st qtr.	2nd qtr.	3rd qtr.	4th qtr.	Total	
<b>1. CONSTRUCTION &amp; PERMITTING SECTION</b>										
<b>I. Construction Financing Program</b>										CLEAN AND PLENTIFUL WATER
1. Step 3 Construction										
A. Preconstruction Conferences	22	0.33	0.33	3	5/7	6/	5/	6/	22/7	
B. Interim & Final Inspections	110	1.76	1.10	4	20/25	20/	20/	20/	80/25	
C. Precon Lag Management & Change Order Review	48	0.86	0.54	5	8/10	9/	8/	9/	34/10	
D. Resolution of Major Problems	2	0.23	0.15	8	0/1	0/	1/	1/	2/1	
E. Auth. to Award Review	22	0.40	0.40	2	5/7	6/	5/	6/	22/7	
F. Monitor Construction Claims	2	0.25	0.15	9	0/1	0/	1/	1/	2/1	
G. Grant Amendment, Interim & Final Payments Reviews	244	2.44	1.51	6	29/30	29/	29/	27/	114/30	Anticipated outputs are more than actual outputs , however all amendments received are processed with all available resources.
2. Project Certification Inspection	34	0.51	0.32	7	6/6	6/	6/	6/	24/6	
SUBTOTAL Construction Financing		6.78	4.50							
<b>II. Treatment Works Approval Program (TWA)</b>										CLEAN AND PLENTIFUL WATER
1. Treatment Works Approvals										
	400	5.5	5.5	1	100/91	100/	100/	100/	400/91	TWAs and NJEMS implementation.
2. Sewer Connection Bans and Capacity Assurance Reviews										
	16	0.2	0.2	11	4/5	4/	4/	4/	16/5	Bans imposed, rescinded. Exemption reviews and related activities.
3. General Assistance to other Prorams										
	32	1.19	0.8	10	5/6	5/	5/	5/	20/6	Hearings, ACO Reviews, CSO letters
SUBTOTAL TWA Program		6.89	6.5							
Program Integation, Implementation, Reporting & Management	71	1.00	1.00		17/18	18/	17/	19/	71/18	
<b>TOTAL CONST. SECTION</b>		<b>14.67</b>	<b>12.00</b>							

**DIVISION OF WATER QUALITY**  
**BUREAU OF NONPOINT POLLUTION CONTROL**  
**FY04 Workplan**

3/10/2005

**Strategic Plan Goal:** Clean and Plentiful Water

**PPA Goal/Subgoal:** Ground Water - 1) Ground water quality will meet all standards for designated uses; 2) Protect and insure adequate ground water quantity for designated uses. Surface Water - 1) Protect and enhance aquatic life designated uses; 2) Protect recreational designated uses in tidal and non-tidal waters; 3) Protect fish and shellfish consumption designated uses; 4) Protect recreational designated uses in tidal and non-tidal waters.

**Milestones/Objectives:** 1) 50% of assessed non-tidal waters will support healthy communities; 2) Maintain/improve number and quality of lake, ocean, and bay bathing beaches; 3) Reduce or control nitrates, fecal coliform, VOC, and metals; 4) Protect and maintain recharge to aquifers; 5) Maintain and improve number and quality of lake, ocean, and bay bathing beaches; 6) By 2005, 90% of classified waters will provide shellfish safe to harvest.

Activity Task or Objective	Priority	Desired Outputs	Req. FTE	Assign. FTE	1Q	Act.	2Q	Act.	3Q	Act.	4Q	Act.	Total	Actual Total	Comments
<b>A. Core Activity: Permit Development/Issuance</b>															
1. General/Generic Permit Development	3	6	6	5	4	2	1	1	3	5	1	1	9	9	Quarries, Renewed Concrete, Lined Impoundments, Asphalt, Compost, Construction Permit Modification,
2. Stormwater Permit Actions	2		11	11											Individual permit backlog will be reduced but will still continue.
a. New & Renewal Individual Permits (ST)	2a	167	6	6	10	8	10	4	10	16	10	36	40	64	The projection does not include approximately 40 individual permits that will be moved to new industry-specific general permits during the year.
b. General Permit Authorizations (ST)	2b	1700	2	2	50	144	100	38	100	885	700	89	950	1156	Includes 5G2, Concrete, and Municipal permit authorizations.
c. Other Permit Actions (ST)	2c	80	3	3	10	32	10	35	10	48	10	66	40	181	Major & minor mods, revocations, and withdrawals
3. Ground Water Permit Actions	1		13	11											Individual permit backlog will be reduced but will still continue.
a. New Individual Permits (DGW)	1a	20	4	3	4	3	4	5	4	5	4	5	16	18	Includes new construction and existing unpermitted facilities (new construction will all be permitted).
b. Individual Renewal Permits (DGW)	1b	220	4	3	10	10	10	6	10	5	10	159	40	180	The projection is a significant increase over last year's renewal projection to reduce backlog.
c. New Permits & Denials (TWA)	1c	24	1	1	6	9	6	9	6	3	6	4	24	25	
d. General Permit Authorizations (DGW)	1d	580	3	3	510	515	10	1	10	11	10	9	540	536	
e. Other Permit Actions (DGW)	1e	30	1	1	8	7	7	6	8	2	7	30	30	45	Major & minor mods, revocations, and withdrawals



