



NJDEP

Compliance ADVISORY

Enforcement **Alert**

Making You Aware of Anticipated Enforcement Activities

Compliance & Enforcement

Issued: March 2003

#2003-01A

DEP Steps Up Enforcement of Water Allocation Permits

Who is affected by this initiative?

All persons holding an existing water allocation permit, water allocation permit equivalency, or temporary dewatering permit issued by the Department under the Water Supply Allocation Rules (N.J.A.C. 7:19-1 et seq.). This includes ground and surface water diverted for public water supply, industrial processing and cooling, irrigation, sand and gravel operations, remediation, golf courses and power generation.

Why is DEP Enforcement targeting this regulated group?

To reduce the frequency and severity of drought emergencies in the future, we need to strengthen the protection of New Jersey's water supply on both a short and long-term basis. With that goal in mind, DEP Commissioner Bradley M. Campbell signed Administrative Order 2003-01 on January 8, 2003, which directs that the terms and conditions of all water allocation permits, water registrations and water connection permits issued by the Department be strictly enforced.

What is DEP doing?

The Bureau of Water Allocation is proceeding with its migration into the department-wide integrated database, the New Jersey Environmental Management System (NJEMS). Beginning with water use data for the quarter ending March 31, 2003, an automated compliance determination feature of NJEMS will generate violations for those who fail to submit quarterly monitoring reports or exceed their withdrawal limits. Because of a delay in the distribution of 1st quarter 2003 reporting forms, their **submittal due date has been extended from April 30th to May 31st 2003.**

The Department's Water Compliance and Enforcement program will issue Notices of Violation for the aforementioned NJEMS-identified violations. In some cases, additional formal enforcement actions with penalty assessments will be issued. As of March 2003, inspections have occurred and will continue to be conducted at facilities that hold water allocation permits. These inspections will determine overall compliance with water allocation permits and associated regulations, resulting in action where needed.

What should I do?

The following is a general list of things to check to ensure compliance and is by no means a complete list of requirements with which you need to comply.

1. Is your maximum allowable diversion in compliance with your daily/monthly/annual allocation?

(more on reverse)

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2. Water Supply Diversion Reporting Forms -
 - a. Check that you receive your **NEW** forms for the first quarter by April 30 and you have submitted completed forms to the Department by May 31.
 - b. Are you reporting your water diversion volumes in the proper units? Previously these were reported in Thousands of Gallons and are now in **Millions of Gallons (MG)**.
Example: 1,000,000 gals should be reported as 1.000 Million Gallons and 245,000 gals should be reported as 0.245 Million Gallons
 - c. Did you determine and report static water levels for ground water sources?
 - d. In areas of potential salt water intrusion, was a raw water sample tested for chloride and/or sodium concentration and the result reported if required by your permit?
3. Have you calibrated your totalizing flow meter (required by almost all permits) within the past five years?
4. Is the current permit information on the number and location of wells/withdrawal sources correct? Has the pump capacity been increased on any of the diversion sources?
5. Have you adopted and implemented a water conservation and drought management plan? (required by most permits)
6. Are well permit numbers painted on the casings or located on metal tags attached to the wells?
7. Pay attention to developing drought conditions and possible DEP restrictions including Administrative Orders which may further limit your water use allowed by your permit. This information can be found at: <http://www.state.nj.us/dep/drought/index.html>

Who should I contact with questions?

Any permit related questions, please contact:

Bureau of Water Allocation

609-292-2957

Any compliance, inspection or enforcement questions, please contact:

Water Compliance and Enforcement-Northern Field Office

973-299-7592

(Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, and Warren Counties)

Water Compliance and Enforcement-Central Field Office

609-584-4200

(Mercer, Middlesex, Monmouth, Ocean, and Union Counties)

Water Compliance and Enforcement-Southern Field Office

856-614-3655

(Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem Counties)

Where can I get more information?

The following web sites can be accessed for additional information:

Drought Info

<http://www.state.nj.us/dep/drought/index.html>

Water Supply Administration

<http://www.state.nj.us/dep/watersupply/>

Enforcement

<http://www.state.nj.us/dep/enforcement/advisories>

DEP news release

http://www.state.nj.us/dep/newsrel/releases/03_0108gov.htm

Please note this advisory is intended to be a summary explanation of a department initiative. It does not include all potentially applicable requirements. If you have any questions related to compliance, please contact the Enforcement number listed above.

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