

Department of Environmental Protection Permits/Approvals covered under the Permit Extension Act (Update #3 – March 13, 2009)

The approvals/permits listed below are covered by the Permit Extension Act except for the cases where the approval/permit is issued in an *environmentally sensitive area* as defined below.

Water Supply

1. Water Allocation Permits issued pursuant to the Water Supply Management Act N.J.S.A. 58:1A-1 et seq.;
2. Agricultural Water Use Certifications issued pursuant to the Water Supply Management Act N.J.S.A. 58:1A-1 et seq.;
3. Aquifer Test Proposal Approvals and Aquifer Test Waivers issued pursuant to the Water Supply Management Act N.J.S.A. 58:1A-1 et seq.;
4. Temporary Treatment Approvals issued pursuant to the "Safe Drinking Water Act N.J.S.A. 58:12A-1 et seq.;
5. Drilling permits including well use re-designation permits issued pursuant to the Subsurface and Percolating Waters Act at N.J.S.A. 58-4A-4.1 et seq.;
6. Fifty or More Realty Improvement Certifications for individual water supply systems issued pursuant to the Realty Improvement Sewerage and Facilities Act at N.J.S.A. 58:11-23;
7. Safe Drinking Water (SDW) permits, except for Master Permits (see below), issued pursuant to the Safe Drinking Water Act at N.J.S.A. 58:12A.
 - Specific projects authorized under a Master Permit as of the effective date of the Permit Extension Act can be extended under the permit extension act. The Master Permit itself is not extended and must be renewed annually;
8. Approval to Install – Construct New Physical Connection between Approved and Unapproved Water Supply Permits issued pursuant to N.J.S.A. 58:11-9.1 et seq.
9. Settlement agreements, ADR agreements and other written documents that authorize development approvals associated with any of the above.

Division of Land Use

1. The following Freshwater Wetlands approvals issued pursuant to the Freshwater Wetlands Protection Act N.J.S.A. 13:9 B-1 et. seq. (Transition Area Waivers, Letters of Interpretation, and Exemption Letters, Freshwater Wetlands GP6 provided they are not in waters of the U.S.);
2. Waterfront Development permits issued pursuant to R.S. 12:5-1 et seq.;
3. Coastal Area Facility Review Act (CAFRA) permits issued pursuant N.J.S.A. 13:19-1 et seq.;

4. Coastal Wetland permits issued pursuant to the Wetlands Act of 1970 NJSA13:9A-1 et seq.;
5. Flood Hazard Area Control Act permits issued pursuant to 58:16A-50 et seq. where work has commenced, as of the expiration of the permit, in any phase or section of the development, on any site improvement or on any building or structure. (Revised)
6. Settlement agreements, ADR agreements and other written documents that authorize development approvals associated with any of the above.

Watershed Management

1. The following expired Wastewater Management plans are extended in accordance with this Act:

Cape May County: Cape May County Wide approved September 28, 2001

Gloucester County: Greenwich Twp approved January 29, 2004
 East Greenwich Twp approved May 14, 2001
 Harrison Twp approved August 12, 2002

Middlesex County: Lower Raritan & Middlesex Area approved May 1, 2001

Salem County: Salem/Alloway/Quinton Area approved September 24, 2003

Somerset County: Montgomery Twp approved November 8, 2001

Sussex County: Sussex County Wide approved December 14, 2001

As an effect of the Permit Extension Act, revisions and site specific plan amendment applications for the above referenced wastewater management plans may be submitted to NJDEP for consideration. However, those applications must comply with the Water Quality Management Planning regulations (N.J.A.C. 7:15) adopted July 7, 2008.

The Permit Extension Act did not extend the obligation of any wastewater management planning agency to submit a wastewater management plan update pursuant to the deadlines established in the Water Quality Management Planning rules (N.J.A.C. 7:15) adopted July 7, 2008.

2. Settlement agreements, ADR agreements and other written documents that authorize development approvals associated with any of the above.

Water Quality Management

1. NJPDES Discharge to Ground Water (DGW) Permits issued pursuant to the New Jersey Water Pollution Control Act N.J.S.A. 58:10A-1 et seq. for facilities that have either not been constructed or are not in operation;
2. NJPDES Treatment Works Approvals (TWAs) issued pursuant to the New Jersey Water Pollution Control Act N.J.S.A. 58:10A-1 et seq.;

3. NJPDES Residual Permits and Approvals issued pursuant to the New Jersey Water Pollution Control Act N.J.S.A. 58:10A-1 et seq. for facilities that have either not been constructed or are not in operation;
4. Permits to Construct Individual Subsurface Sewage Disposal Systems (ISSDS) issued by local health departments issued pursuant to the New Jersey Water Pollution Control Act N.J.S.A. 58:10A-1 et seq.;
5. Fifty or More Realty Improvement Certifications for subsurface sewage disposal systems issued pursuant to the Realty Improvement Sewerage and Facilities Act at N.J.S.A. 58:11-23;
6. Treatment Works Approvals for Alternate Subsurface Disposal Design issued pursuant to the New Jersey Water Pollution Control Act N.J.S.A. 58:10A-1 et seq.; and
7. Settlement agreements, ADR agreements and other written documents that authorize development approvals associated with any of the above.

"*Environmentally sensitive area*" means an area designated pursuant to the State Development and Redevelopment Plan adopted, as of the effective date of this act, pursuant to P.L.1985, c.398 (C.52:18A-196 et al.) as Planning Area 4B (Rural/Environmentally Sensitive), Planning Area 5 (Environmentally Sensitive), or a critical environmental site; the Highlands Region as defined in section 3 of P.L.2004, c.120 (C.13:20-3) but shall not include any area designated for growth in the Highlands regional master plan adopted by the Highlands Water Protection and Planning Council pursuant to P.L.2004, c.120 (C.13:20-1 et al.); and the pinelands area designated in section 10 of P.L.1979, c.111 (C.13:18A-11) but shall not include any growth area designated in the comprehensive management plan prepared and adopted by the Pinelands Commission pursuant to section 7 of the "Pinelands Protection Act," P.L.1979, c.111 (C.13:18A-8).