

To: NJPDES Permittees

From: Division of Water Quality

Re: March 31, 2020 USEPA Temporary Advisory for National Pollutant Discharge Elimination System (NPDES) Reporting in Response to COVID-19 Pandemic

Date: April 15, 2020

The New Jersey Department of Environmental Protection (DEP) understands that the unprecedented circumstances of the COVID-19 outbreak, including the need to restrict unnecessary travel and adopt social distancing practices as described in Executive Order 107, has created limitations for many regulated entities, including water and wastewater systems. DEP has been and will continue working to ensure that we are responsive to these circumstances by providing the needed regulatory flexibility while protecting public health and safety. DEP continues to evaluate wastewater requirements and establish guidelines that will allow wastewater facilities to focus their attention on the highest priorities, while continuing to conduct the necessary monitoring that helps ensure public health and safety.

The [March 31, 2020 USEPA memorandum](#) emphasizes that “authorized states or tribes can choose to take a different approach under their own authorities.” Since NJDEP is the delegated authority for implementing the Clean Water Act and federal NPDES program in New Jersey, NJDEP is providing this advisory to clarify that any authorized deviations, flexibility, and relief for a NJPDES permittee will be provided for in a written document authored by NJDEP, not USEPA.

Consistent with previously issued NJDEP guidance and the [March 26](#) and [March 31](#) USEPA memorandums, NJDEP is advising all permittees that they are to make every effort to comply with all environmental compliance obligations and maintain their monitoring and reporting obligations as specified in their permits unless provided specific instructions or in accordance with guidance posted on NJDEP website at <https://www.nj.gov/dep/dwq/covid19.html>

As explained in the March 23, 2020 NJDEP [Message to Systems](#), in the event that a NJPDES permittee cannot maintain compliance with permit conditions, including monitoring or reporting, due to complications from COVID-19 and NJDEP has not issued a compliance advisory or other information specific to that category of discharger, the permittee must contact the applicable NJDEP Compliance and Enforcement Regional Water Enforcement Bureau.

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Central - water\_central@dep.nj.gov 609-292-3010

Southern - water\_south@dep.nj.gov 856-614-3655