



Frequently Asked Questions
Tier A Municipal Separate Storm Sewer System (MS4) NJPDES Permit
NJ0141852
November 9, 2017

DISCLAIMER: The following questions and answers are provided for general information purposes only and are not intended to replace or alter the binding effect of any part or condition of the permit upon renewal. The renewal permit, which is the subject of this FAQ, and supporting information, is available at http://www.nj.gov/dep/dwg/tier_a.htm.

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1. What is an MS4?

A Municipal Separate Storm Sewer System (MS4) is a conveyance or system of conveyances owned or operated by a municipality that carries stormwater that ultimately discharges to waters of the state (including both surface water and groundwater) as defined in N.J.A.C. 7:14A-1.2. The MS4 includes pipes, curbs, gutters, ditches, manmade channels, storm drains, catch basins, municipal streets, basins (surface/subsurface) or roads with drainage systems that are not combined sewers and are not part of a publicly owned treatment works (e.g. sewage treatment system).

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2. What is a Tier A Municipality?

Tier A Municipalities are located within the more urbanized regions of the state or along or near the Atlantic coast, while Tier B Municipalities tend to be located in more rural and non-coastal areas. All municipalities in New Jersey are considered either Tier A or Tier B. Currently there are 461 assigned to Tier A and 104 municipalities assigned to Tier B. Renewal of NJPDES master general permit NJ0141852 applies to Tier A Municipalities only. Renewal of the NJPDES master general permit for Tier B Municipalities will be completed in a separate permit action. For a more detailed description of the regulatory basis for assignment to Tier A or Tier B, and for a list of Tier A and Tier B municipality designations, please refer to N.J.A.C. 7:14A-25.3 (see www.nj.gov/dep/dwq/714a.htm). In addition, a list of all New Jersey municipalities and their Tier designation, as well as a map depicting municipal tier assignments can be found at www.nj.gov/dep/dwq/msrp_home.htm.

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3. What does the Tier A MS4 New Jersey Pollutant Discharge Elimination System (NJPDES) Permit authorize?

The Tier A MS4 NJPDES master general permit (NJ0141852) primarily authorizes stormwater discharges from MS4s owned or operated by Tier A Municipalities to the waters of the state. Municipalities that have been issued a Notice of Authorization (NOA) to discharge under the master general permit must develop and implement a stormwater program. The first NJPDES permit authorizing discharges from Tier A MS4 municipalities became effective in 2004 (subsequently renewed in 2009), so most Tier A municipalities have already developed stormwater programs. Additionally, this permit requires the municipalities to maintain a stormwater management plan and enforce stormwater ordinances to address development and redevelopment consistent with the Stormwater Management rules at N.J.A.C 7:8. For more information on the existing Tier A NJPDES permit program, see www.nj.gov/dep/dwq/tier_a.htm.

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4. How are residents of a municipality affected by the Tier A MS4 NJPDES permit?

The municipality is given the tools to educate residents through its educational and outreach programs on how to properly manage stormwater runoff and how they can do their part to improve water quality. For example, residents can help to directly reduce impacts on local water quality through proper disposal of pet waste, careful management of yard waste, and prudent use of lawn care products. However, residents are also subject to warnings or fines from the municipality if found to be in violation of one of the several municipal ordinances related to stormwater. The municipality must enforce its stormwater ordinances in order to comply with this permit. For associated educational resources see www.cleanwaternj.org/.

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5. What is the purpose of the Tier A MS4 NJPDES permit?

Stormwater discharges from MS4s are required to be regulated through federal ([40 CFR Part 122](#)) and state (N.J.A.C. 7:14A-25, see www.nj.gov/dep/dwq/714a.htm) rules. The regulation of stormwater runoff through the Tier A MS4 NJPDES permit is intended to provide substantial water quality benefits and prevent increased flooding and erosion. The permit is a regulatory mechanism which addresses stormwater quality and quantity issues related to public works operations, new development, redevelopment, and existing developed areas by requiring existing Tier A Municipalities to continue to implement stormwater programs. New Jersey's MS4 permit program is prescriptive in nature in that it clearly defines the Statewide Basic Requirements (SBRs) and other control measures as applicable to Tier A Municipalities. SBRs include public involvement and participation, local public education and outreach, post construction stormwater management in new development and redevelopment, pollution prevention/good housekeeping for municipal operators, MS4 outfall pipe mapping, and illicit discharge and scouring detection and control. Stormwater for new development and redevelopment is addressed, in part, by requiring municipalities to continue to implement stormwater management plans and ordinances in accordance with the Stormwater Management rule, N.J.A.C. 7:8 (for more information see www.njstormwater.org/).

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6. EPA changed their Phase II regulations in 2016 (NPDES Stormwater Final MS4 General Permit Remand Rule), how has this affected the Tier A MS4 NJPDES permit?

The Phase II stormwater rule was revised by USEPA in December 2016 as a result of litigation (see www.epa.gov/npdes/npdes-stormwater-final-ms4-general-permit-remand-rule). The 2016 rule change “does not change the stringency of the underlying requirements in the statute or Phase II regulations to which small MS4 permittees are subject, nor does it establish new substantive requirements for MS4 permittees.” (81 FR 89322). The rule revision primarily addresses procedural issues and “establishes two alternative approaches a permitting authority can use to issue National Pollutant Discharge Elimination (NPDES) general permits for small MS4s and meet the requirements of the court remand. The first option is to establish all necessary permit terms and conditions to require the MS4 operator to reduce the discharge of pollutants from its MS4 to the MEP [maximum extent practicable], to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act (“MS4 permit standard”) upfront in one comprehensive permit. The second option allows the permitting authority to establish the necessary permit terms and conditions in two steps: A first step to issue a base general permit that contains terms and conditions applicable to all small MS4s covered by the permit and a second step to establish necessary permit terms and conditions for individual MS4s that are not in the base general permit. Public notice and comment and opportunity to request a hearing would be necessary for both steps of this two-step general permit. This final rule does not establish any new substantive requirements for small MS4 permits.” [language added]. (81 FR 89320). The Department has renewed the Tier A MS4 NJPDES permit under the first option by issuing a Comprehensive General Permit under 40 CFR 122.28.

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7. Was there a process for public comment on the draft Tier A MS4 NJPDES renewal permit?

The draft permit provided interested parties with an opportunity to provide the Department with comments prior to the issuance of a decision on the final permit. The comment period provided the Department with an opportunity to consider and possibly resolve some issues raised by interested parties prior to the issuance of a decision on the final permit. After the close of the public comment period, the Department responded to all significant and timely comments upon issuance of the final document. The permittees and all other individuals and entities who submitted written comments will receive notice of the Department's decision. Procedures for public comment are specified in the NJPDES Rules at N.J.A.C. 7:14A-15.10 (see www.nj.gov/dep/dwq/714a.htm).

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8. Was there stakeholder input in the development of the Draft Tier A MS4 NJPDES permit renewal?

Yes. In an effort to improve overall effectiveness and efficiency of the Tier A and Tier B MS4 NJPDES permit renewal process and to maximize stakeholder input, the Department released preliminary draft permits and conducted extensive outreach for stakeholders in the preparation of the draft permit. Stakeholder meetings were held to present the major concepts of the permit and included the League of Municipalities, Clean Water Council, US EPA Region 2, Stonybrook Millstone Watershed Association, Environmental Groups, NJ Society of Municipal Engineers, NJ Association of Counties, and Whippany River Watershed Action Committee. Additionally, the Department held small group workshops with municipal permittees in an effort to explain and gather feedback about proposed permit conditions. Notification of such workshops was provided via e-mail invitation to all stormwater coordinators and mayors in New Jersey's permitted municipalities. A total of 230 municipalities attended the small group workshops.

The Tier A MS4 NJPDES permit was released as both a preliminary draft and as a draft. Comments received during the public comment period were considered in the preparation of the final permit. Additional stakeholder input in the form of written comments were accepted and considered by the Department during the draft permit comment period. A public hearing was also held to receive comments on the draft permit.

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9. What is new in the Tier A MS4 NJPDES permit?

The Department has reorganized and clarified permit conditions in the permit renewal in an attempt to make conditions easier to understand and implement. While the majority of permit conditions are retained from the 2009 Tier A MS4 master general permit, there are some new permit conditions which include:

- The submission of outfall pipe maps required under prior permit cycles; including the location and name of all surface water bodies receiving discharges from MS4 outfall pipes and submission to the Department's designated electronic submission service by December 21, 2020 as per the USEPA's NPDES Electronic Reporting rule at 40 CFR Part 127. See FAQ 32.
- Improved maintenance language intended to ensure proper function of stormwater facilities; to prioritize maintenance where it's needed most; to ensure proper maintenance of privately owned and operated stormwater facilities at developments approved by the municipality; and to specify that any inspection and maintenance logs include specific information including the location of the facility inspected. See FAQ 34 for additional details about maintenance requirements.
- Greater flexibility in the frequency of storm drain inlet and catch basin inspection and cleaning to maintain the integrity and functionality of the MS4.
- Clarified, improved and additional stormwater management conditions to better reflect activities that generally occur at the municipal maintenance yard such as vehicle washing, yard trimmings and wood waste management (see Attachment E of the draft permit).
- Best practices for the use of herbicides in municipal roadside operations (see Attachment E of the draft permit).
- A Major Development Stormwater Summary form (see Attachment D of the draft permit) that provides a concise overview of important criteria to assist municipalities in ensuring compliance with design and performance standards for proposed stormwater management measures in major development. The form also provides the Department with a tool to assess whether a municipality is properly applying the Stormwater Management rule (N.J.A.C. 7:8, see www.nj.gov/dep/rules/rules/njac7_8.pdf). The summary form need only be completed for

stormwater management measures reviewed by the municipality after the renewal of the permit.

- Greater flexibility for employee training with new training resources to expand knowledge and skills.
- Training requirements for design engineers, municipal engineers, and other individuals that review stormwater management design for development and redevelopment projects on behalf of a municipality. This will promote proper review of post construction stormwater management measures by improving individual knowledge of the Stormwater Management rules and stormwater BMPs. See www.njstormwater.org/training.htm for training information.
- Training requirements for members of municipal boards and councils that review and approve applications for development and redevelopment projects on behalf of a municipality. This will promote better evaluation of post construction stormwater management measures by improving the understanding of the Stormwater Management rules and stormwater BMPs. See <http://www.njstormwater.org/training.htm> for training information.
- Annual review of Total Maximum Daily Load (TMDL) reports that are associated with local waters. By reviewing the status of local waterways and potential implementation mechanisms suggested in the TMDL report, municipalities can target their ordinance enforcement, prioritize stormwater facility maintenance activities, and promote educational efforts in those areas with known water quality problems.

The municipality is referred to Attachment A (Measurable Goals and Implementation Schedule for Existing Permittees) and Attachment A-1 (Measurable Goals and Implementation Schedule for New Permittees) of the permit renewal for a detailed breakdown of all permit conditions and whether the condition existed in the previous permit or if it is a new condition.

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10. How will the Department assist municipalities in navigating the Tier AMS4 NJPDES permit and its changes?

The Tier A MS4 NJPDES permit and supporting documents are available at http://www.nj.gov/dep/dwq/tier_a.htm. Here you can find a crosswalk which provides a detailed comparison of changes from 2009 to the final permit as well as Frequently Asked Questions, the Tier A Guidance Document, and other guidance materials. In addition, the Department has posted new material to support permit requirements for training (www.njstormwater.org/training.htm), maintenance (www.njstormwater.org/maintenance_guidance.htm), and incorporation of TMDL information into the municipality's SPPP (www.nj.gov/dep/dwq/msrp-tmdl-rh.htm).

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11. Does the Tier A MS4 NJPDES permit regulate privately owned streets, basins, and storm drains?

Yes. Stormwater facilities owned by commercial interests or by homeowner associations, for example, are subject to local stormwater codes, ordinances, and enforcement. Stormwater facilities that are properly maintained are an important component in addressing water quality and flooding issues. Municipalities are responsible for ensuring that the owners perform proper operation and maintenance. An exception would be a stormwater system that is regulated directly under a stormwater discharge permit other than the Tier A MS4 NJPDES permit.

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12. What is N.J.A.C. 7:8 and why is it part of the Tier A MS4 NJPDES permit?

Uncontrolled stormwater runoff can cause flooding and contribute pollutants to waterbodies in the state. Stormwater management is a key component in mitigating the impacts to flooding and pollution. The permit addresses stormwater management for new development and redevelopment, in part, by requiring municipalities to continuously maintain stormwater management plans and enforce stormwater control ordinances. New Jersey's Stormwater Management rule, N.J.A.C. 7:8, establishes the minimum standards for stormwater management design for new development and redevelopment projects. Municipalities must adhere to these standards when reviewing such projects for local approval. Specifically, the Stormwater Management rule requires compliance with minimum standards for stormwater runoff quantity, water quality, and groundwater recharge. The design and performance standards of the Stormwater Management rule are implemented for major development by the municipalities under the authority of Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) through the municipality's stormwater control ordinances adopted with the Municipal Stormwater Management Plan. Furthermore, the design and performance standards of the Stormwater Management rule are incorporated by reference in the Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21-7), which apply to residential developments. The Stormwater Management rule also requires the Tier A municipality to ensure that stormwater management measures are properly operating and maintained. This Tier A MS4 NJPDES permit requires municipalities to implement a stormwater management program that includes implementation of the Stormwater Management rule at the local level. The Stormwater Management rule can be viewed at www.nj.gov/dep/rules/rules/njac7_8.pdf.

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13. How much does the Tier A MS4 NJPDES permit cost?

There is no renewal fee for this permit. However, the Department does charge an annual fee for the Tier A MS4 NJPDES permit ranging from \$600 to \$9,000, depending on the population range of the municipality. The population ranges and associated fees can be found by looking at N.J.A.C. 7:14A-3.1, Table III (see www.nj.gov/dep/dwq/714a.htm).

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14. Do municipalities need to submit a renewal application to receive their Tier A MS4 NJPDES permit renewal authorization?

Most Tier A Municipalities will receive a renewal Notice of Authorization (NOA) without submitting a renewal application (known as a Request for Authorization or RFA). For a listing of each municipality and their current designation, please refer to www.nj.gov/dep/dwq/msrp_home.htm.

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15. How will the Tier A MS4 NJPDES permit reduce pollutant discharges to surface water?

Although precipitation by itself is not associated with most pollutants, stormwater runoff (which is water from precipitation that does not soak into the ground or evaporate) carries with it pollutants such as fertilizers, sediments, and oils from lawns, and roadways. These pollutants impact local surface waterway ecology. The intent of the Tier A MS4 NJPDES permit is to limit and/or reduce the discharge of these pollutants to waterways. The Tier A MS4 NJPDES permit is protective of the local surface waterways by having the municipalities take responsibility for discharges from outfalls; requiring proper design, operation, and maintenance of best management practices (see also FAQ 13); requiring municipalities to inventory their current best management practices during routine inspections; and giving municipalities the responsibility to enforce local ordinances that would reduce stormwater pollutants. Properly implementing the above approaches and complying with the minimum standards and measurable goals of the Tier A MS4 NJPDES permit will reduce pollutant discharges to the local surface waterways to the maximum extent practicable.

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16. What happens after the Final Tier A MS4 NJPDES permit is issued?

The Department will issue a Notice of Authorization (NOA) to each municipality that qualifies to be regulated under the Tier A MS4 master general permit. Each individual authorization will include all permit conditions and implementation schedules.

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17. What are the municipalities' timelines for complying with any new Tier A MS4 NJPDES permit requirements?

Timelines vary depending on the permit requirement and whether the municipality is an existing or new permittee. Existing permittees are those municipalities who had previously received a Tier A permit and should refer to Attachment A (Measurable Goals and Implementation Schedule for Existing Permittees) of the draft permit renewal for a detailed breakdown of permit conditions and compliance timelines. New permittees are those municipalities who are directed by the Department to apply for a Tier A permit (and receive one) and should refer to Attachment A-1 (Measurable Goals and Implementation Schedule for New Permittees).

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18. Do municipalities still have to submit an Annual Report and Certification under the new Tier A MS4 NJPDES permit and what is the Supplemental Questionnaire?

Yes. Pursuant to the NJPDES Municipal Stormwater Regulation Program rules (N.J.A.C. 7:14A-25.6(j)3, see www.nj.gov/dep/dwq/714a.htm), this permit retains the requirement for completion of an Annual Report and Certification. Specifically, the Annual Report form requires information be provided regarding the status of the implementation of many of the permit requirements for each reporting year (January 1 through December 31). The Annual Report and Certification shall be submitted by May 1 of each year, which includes information relevant and/or pertaining to the previous reporting year (January 1 through December 31), through the NJDEP online portal at www.njdeponline.com/ (instructions available at www.nj.gov/dep/dwq/tier_a.htm). In addition, a Supplemental Questionnaire was added for the 2015 reporting year and will be required again for reporting year 2016. The annual report and supplemental questionnaire information will be reviewed by the Department and used as a screening tool for purposes of conducting future stormwater audits of municipalities.

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19. How does EPA's electronic reporting rule impact the Annual Report and Certification?

The US Environmental Protection Agency has adopted new electronic reporting requirements that impact the method and type of information that municipalities are required to report (see 40 CFR Part 127). The Department has added language to Part II.C of the Tier A MS4 NJPDES permit to be consistent with this federal rule. However, since the Department already collects Annual Report and Certification information from municipalities on-line, municipalities will continue to utilize the current reporting mechanism. If any additional data is required, the Department will revise the annual report forms accordingly. For more information regarding the EPA's electronic reporting rule, please refer to: <http://www2.epa.gov/compliance/final-national-pollutant-discharge-elimination-system-npdes-electronic-reporting-rule>.

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20. Does the Tier A MS4 NJPDES permit renewal require any new local ordinances?

The permit renewal does not require any new local ordinances to be adopted by the municipality. If a Tier A Municipality has met the ordinance requirements of the Tier A MS4 NJPDES permit that was issued and became effective in 2009, the Department does not anticipate that a municipality will have to readopt or amend any ordinance solely for the purposes of the Tier A MS4 permit renewal. This does not relieve a municipality from the requirement to keep all ordinances up-to-date with any legislative or regulatory changes that occur outside of this permit.

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21. Are there any stormwater sampling and monitoring requirements included in the Tier A MS4 NJPDES permit?

No, the permit does not require stormwater sampling and monitoring except as necessary for implementing municipal Procedures for Detecting, Investigating and Eliminating Illicit Connections.

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22. What is an illicit connection?

An illicit connection is, for the purposes of N.J.A.C. 7:14A-25 only, any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) or any category of non-stormwater discharges that a permittee for the MS4 identifies as a source or significant contributor of pollutants to an MS4 (unless that discharge is authorized under a NJPDES permit other than the NJPDES permit for discharges from that system). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the MS4.

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23. Is Detecting, Investigating and Eliminating Illicit Connections still included in the Tier A MS4 NJPDES permit renewal? What happened to Attachment B that was in the Permit that became effective in 2009?

Yes, municipalities must still conduct an Illicit Discharge Detection and Elimination Program. The permit has clarified and reorganized this requirement so that outfall pipe mapping, stream scouring, and illicit connection detection requirements are together, suggesting that these activities can be performed in conjunction with each other. Attachment B (Procedures for Detecting, Investigating and Eliminating Illicit Connections) from the 2009 Tier A NJDPES permit has been removed from the permit renewal because the information that was in Attachment B is provided within the body of the permit requirements. A separate guidance document is also available (see www.nj.gov/dep/dwq/tier_a_guidance.htm, Chapter 6 Improper Disposal of Waste). See also USEPA

Guidance at https://www3.epa.gov/npdes/pubs/idde_manualwithappendices.pdf.

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24. What is a Stormwater Pollution Prevention Plan (SPPP) and does the Tier A MS4 NJPDES permit renewal require the municipality to revise the SPPP?

The SPPP describes how the Tier A Municipality will implement each permit requirement, and provides a place for record keeping to document when and how each permit requirement was met. The SPPP is a living document that is never “completed.” The SPPP should be reviewed at least annually and updated as often as necessary to reflect changes. All existing Tier A Municipalities should have an SPPP as required by the Tier A MS4 permit that was issued and became effective in 2009. While there are new components associated with the permit renewal that will require amendment of the SPPP, many of the existing SPPP conditions are still appropriate.

Municipalities are referred to Attachment A (Measurable Goals and Implementation Schedule for Existing Permittees) and Attachment A-1 (Measurable Goals and Implementation Schedule for New Permittees) of the draft Tier A MS4 NJPDES permit renewal which establishes the Minimum Standards and Measurable Goals of the permit that shall be documented in the SPPP.

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25. Why are municipalities required to post their SPPP on their municipal website?

The permit renewal requires that the Tier A Municipality post its SPPP on its website to promote transparency as well as public participation and involvement. The posted version of the SPPP need not include maintenance records, other types of inspection logs or names of individual SPPP team members. The SPPP should be reviewed at least annually and updated as often as necessary to reflect changes.

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26. What is a Total Maximum Daily Load (TMDL) and how is it relevant to the SPPP?

A TMDL is the maximum amount of a pollutant that a waterbody can receive and still meet surface water quality standards. The TMDL may be viewed as a pollutant budget for an impaired waterbody. The TMDL is allocated among all of the sources of the pollutant, including point sources, nonpoint sources, and natural background. A TMDL includes an implementation plan developed to identify the suite of measures that are needed to reduce loads from each source to levels that will meet surface water quality standards. There may be pollutant sources, for example naturally occurring sources, which are not amenable to reduction through stormwater management measures. Through implementation mechanisms suggested in the TMDL report, municipalities can modify their SPPP to target their ordinance enforcement, prioritize stormwater facility maintenance activities, and promote educational efforts in those areas with known water quality problems.

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27. How can a municipality learn about any TMDLs within their boundaries?

The Department has developed a new TMDL “Look-up Tool” (see www.nj.gov/dep/dwq/msrp-tmdl-rh.htm) to assist municipalities with identifying TMDL information associated with any segment of surface water, wholly or partially within, or bordering the Tier A municipality. By using the link to the TMDL and reviewing the Implementation Section, the municipality will find potential actions they can take to improve water quality. For example, if a stream within a municipality is impaired for phosphorus, the SPPP could target fertilizer use outreach, increase enforcement of pet waste and wildlife feeding ordinances and conduct more frequent maintenance of catch basins in the part of town that drains to the

impaired stream. The Department has complemented the information now posted with the TMDL Look-Up Tool with new guidance entitled “Total Maximum Daily Load (TMDL) Guidance for Tier A MS4 Permittees” to assist municipalities in evaluating strategies (see www.state.nj.us/dep/dwq/msrp-tmdl-rh.htm).

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28. What is a Stormwater Coordinator and how does a municipality change their Stormwater Coordinator?

This Tier A MS4 NJPDES permit renewal includes new language specifically intended to assist municipalities in properly delegating the role and responsibilities of the Stormwater Coordinator. The Stormwater Coordinator is either a principal executive officer or a ranking elected official of a Tier A Municipality as required at N.J.A.C. 7:14A-4.9(a)3. Municipal officials may assign this responsibility to a person that is already responsible for overall municipal stormwater facilities or municipal environmental matters as allowed at N.J.A.C. 7:14A-4.9(b). The Stormwater Coordinator is responsible for coordinating the permittee’s implementation of the SPPP and Tier A MS4 NJPDES permit conditions; signing and dating the SPPP; and coordinating completion and submission of an Annual Report and Certification. If a different individual has assumed the Stormwater Coordinator responsibilities, the Department must be notified of this change. This is accomplished through completion of the online MSRP Annual Report (instructions for filing this report are available at www.nj.gov/dep/dwq/tier_a.htm) or by the completion and submittal of the Stormwater Coordinator Information Update Sheet form linked to www.nj.gov/dep/dwq/msrp_home.htm.

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29. Who certifies that municipally owned and operated stormwater facilities are functioning properly?

As part of the Annual Report and Certification, the Stormwater Coordinator is responsible for certifying that municipally owned and operated stormwater facilities are functioning properly. Stormwater facilities that are properly designed, built, and maintained are an important component in addressing water quality and flooding issues.

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30. Who certifies that stormwater facilities not owned and operated by the municipality are functioning properly?

As part of the Annual Report and Certification, the Stormwater Coordinator certifies that the municipality has ensured that stormwater facilities not owned and operated by the municipality, and not subject to another NJPDES permit, are functioning properly or describes enforcement actions taken by the municipality to ensure that the stormwater facility owner performs required maintenance.

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31. How are inventory and mapping requirements different?

As previously required in the 2009 Tier A MS4 NJPDES permit, municipalities must maintain an up-to-date map of all stormwater outfall pipes from their MS4 system. As originally specified in the 2004 Tier A MS4 NJPDES permit, the outfall pipe map must show the location (and name, where known to the municipality) of all surface water bodies receiving discharges from those outfall pipes. Finally, pursuant to federal regulatory requirements, outfall pipe map information must be submitted to the Department’s designated electronic submission service by December 21, 2020.

The Department has created a free to use “application” or “app” that provides a method for municipalities to easily create a detailed inventory and map of outfall pipes. Tier A Municipalities can

satisfy the outfall pipe mapping requirements of this permit by using this application which uploads outfall pipe location information directly to the Department and associates outfall pipe location information with existing GIS surface water body information.

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32. Do municipalities need to maintain the new Major Development Stormwater Summary electronically?

No, but it is encouraged. The Major Development Stormwater Summary form can be found as Attachment D of the Tier A MS4 NJPDES permit renewal. The permit renewal requires that the municipality maintain a completed copy and make it available to the Department upon request. While not required to maintain this form electronically, the municipality is encouraged to do so. Municipalities are required to complete this form for major development applications after the effective date of their Notice of Authorization (NOA). See www.nj.gov/dep/dwq/tier_a_forms.htm.

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33. Have the stormwater facility maintenance requirements changed?

Yes. The Tier A MS4 NJPDES permit renewal adds the requirement that municipalities maintain paper and/or electronic copies of all Maintenance Plans (as defined in the draft permit) for stormwater facilities that they approve. Municipal stormwater facility maintenance requirements date back to New Jersey's 1983 Stormwater Management Rules (N.J.A.C. 7:8) and were included in both the 2004 and 2009 versions of the Tier A MS4 NJPDES permit. The maintenance requirements have been clarified to specify that the municipal inspection and maintenance log include the stormwater facility location information of the facility inspected (location information must be specific enough to locate and identify the stormwater facility in the field; e.g. geographic coordinates). The new permit language makes it clear that municipalities must still maintain all stormwater facilities that they own or operate, and continue to ensure (through enforcement of existing ordinances) the maintenance of stormwater facilities that they do not own or operate and which are not subject to another NJPDES stormwater permit. The permit clarifies that municipalities ensure proper operation and maintenance of stormwater facilities that they do not own or operate and that were approved by the municipality since March 7, 1984. To assist municipalities with this task, the Department has developed example maintenance logs and inspection forms which may be used by the municipality to track inspection and maintenance activities (see www.njstormwater.org/maintenance_guidance.htm). The Department has also created a free to use "application" or "app" that Tier A municipalities have the option of using to collect location information during routine stormwater facility inspections.

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34. Are there new options for public education and outreach?

Yes. While the permit renewal has retained the public education program and points system from the Tier A MS4 NJPDES permit that was issued and became effective in 2009, the points system has been significantly expanded to include updated options such as social media outreach, more action-oriented activities like volunteer stream monitoring, and new topics including green infrastructure. Note that the annual point total requirement has also been increased from 10 points to 12. The municipality is referred to Attachment B (Points System for Public Education and Outreach Activities) of the permit renewal for additional information on the annual point total requirement.

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