

## CLEAN WATER ACT & WATER QUALITY PLANNING ACT “CROSSWALK”

CWA Section	Requirement	NJWQPA	Satisfied By
CWA 208(a)(2)	Designate planning areas and entities to develop areawide waste treatment management plans	NJSA 58:11A-4 authorizes the Governor to designate planning areas and areawide waste treatment management planning agencies.	NJAC 7:15-2.3(b) identifies the 12 WQM planning areas and the Designated Planning Agencies (DPA).
CWA 208(a)(6)	The State shall act as a planning agency for areas where a planning agency has not been designated.	NJSA 58:11A-2(b) provides that the DEP shall conduct areawide waste treatment management planning for all areas of the State without a DPA"	NJAC 7:15-2.4(a)(11) identifies the DEP as the designated planning agency for <ul style="list-style-type: none"> <li>· Northeast</li> <li>· Upper Delaware</li> <li>· Lower Delaware</li> <li>· Upper Raritan</li> </ul>
CWA 208(b)(1)(A)	Continuing areawide waste treatment management planning process	NJSA 58:11A-5 provides that every DPA and the DEP for all areas of the State without a DPA shall conduct an areawide waste treatment management planning process and NJSA 58:11A-2b. and 7 provide that DEP shall establish a continuing planning process for areawide planning.	NJAC 7:15-2 identifies the content and processes of the State's continuing planning process and NJAC 7:15-3 provides the areawide planning process including the ability of a DPA to establish, with DEP approval, its own procedures.
CWA 208(b)(1)(A)	Include alternatives for waste treatment management	NJSA 58:11A-5a.	NJAC 7:15-4 establishes the requirements for the periodic preparation of Wastewater Management Plans (WMP). WMP components include wastewater service area mapping, a wastewater treatment capacity analysis, a nitrate

CWA 208(b)(2)(A)	Identify treatment works necessary to meet the anticipated municipal and industrial waste treatment needs of the area over a twenty-year period.	NJSA 58:11A-5a.	dilution analysis and strategies to address the potential capacity deficiencies.  NJAC 7:15-4.3 and 4.5 require an analysis of existing and future wastewater treatment needs on build out or a 20-year planning horizon for urbanized municipalities.
CWA 208(b)(2)(A)	Identify necessary waste water collection and urban storm water runoff systems	NJSA 58:11A-5a.	NJAC 7:15-4.3 and 4.5 require an analysis of existing and future wastewater treatment needs on build out or a 20-year planning horizon for urbanized municipalities. Storm water runoff is subject to the stormwater rules at NJAC 7:8 and the Flood Hazard Area Control Act rules at NJAC 7:13.
CWA 208(b)(2)(A)	Identify program to provide the necessary financial arrangements for development of treatment works	NJSA 58:11A-5a.	The State Revolving Fund (SRF), administered through NJAC 7:22, is included in the Environmental Infrastructure Financing Program (EIFP), a partnership between NJDEP and NJEIT that was created to provide low-interest loans for infrastructure projects. The Clean Water SRF (CWSRF) provides financial assistance for the construction of projects that protect, maintain and improve water quality.
CWA 208(b)(2)(A)	Identify open space and recreation opportunities that can be expected to result from improved water quality, including consideration of potential use of lands		The Statewide Comprehensive Outdoor Recreation Program (SCORP) is prepared every five years by DEP's Green Acres Program to maintain the state's eligibility to receive funding from the Land and Water Conservation Fund. The SCORP serves as the State's strategic plan for open space and recreational planning, and provides guidance to state, local governments and conservation organizations in the

	associated with treatment works and increased access to water-based recreation		preservation of open space and the provision of public recreation opportunities. For more information, see the 2013-17 SCORP available on the NJDEP Green Acres website at <a href="http://www.nj.gov/dep/greenacres/pdf/Public_Review_SCO RP.pdf">http://www.nj.gov/dep/greenacres/pdf/Public_Review_SCO RP.pdf</a> .
CWA 208(b)(2)(B)	Establish construction priorities for such treatment works and time schedules for the initiation and completion of all treatment works	NJSA 58:11A-5b.	The SRFs issue annual intended use plans and project priority lists regarding financial assistance for construction projects. N.J.A.C. 7:22-3.15 AND 3.17. Pursuant to NJAC 7:14A-22.5(e), DEP shall approve, condition, or deny an application for a treatment works approval within 90 days of receipt of an administratively complete application by DEP.
CWA 208(b)(2)(C) (i)	Establish a regulatory program to implement the waste treatment management requirements of 201(c)	NJSA 58:11A-5c.(1) provides that the areawide plan shall include the establishment of a regulatory program to provide control or treatment of all point and nonpoint sources of pollution, including in-place or accumulated pollution sources.	The NJPDES program (NJAC 7:14A) authorized by Water Pollution Control Act, NJSA 58:10-1 et seq., is the principal regulatory program to control point sources and stormwater.
CWA 208(b)(2)(C) (ii)	Establish a regulatory program to regulate the location, modification and construction of any facility which may discharge in the area	NJSA 58:11A-5c.(2)	The NJPDES program (NJAC 7:14A) and the treatment works approval program authorized by Water Pollution Control Act, NJSA 58:10-1 et seq., are the principal regulatory programs that govern the location, modification, and construction of any facility which may result in a discharge.

CWA 208(b)(2)(C) iii)	Establish a regulatory program to assure that any industrial or commercial wastes discharged into any treatment works meet applicable pretreatment requirements	NJSA 58:11A-5c.(3)	The NJPDES Pretreatment program at NJAC 7:14A-19 implements the pretreatment requirements.
CWA 208(b)(2)(D)	Identify agencies necessary to construct, operate, and maintain all facilities required by the plan and otherwise to carry out the plan	NJSA 58:11A-5d.	d NJAC 7:15-4.3(a)(4) and (b) provide requirements for each WMP component, including the identification of the WMP area, the current and future wastewater treatment facilities, the facility owner and NJPDES permittee; and location, discharge, and flow information.
CWA 208(b)(2)(E)	Identify measures necessary to carry out WQM plan, including financing, the time necessary to carry out the plan, the costs of carrying out the plan within such time, and the economic, social and environmental impacts of carrying out the plan within such time	NJSA 58:11A-5e.	The elements of the areawide plan are implemented through various DEP programs. At NJAC 7:14A-22.16(c), the Capacity Assurance Program (CAP), requires participating sewerage authorities to submit to DEP a program to be implemented in order to prevent an overloading of the facility or a violation of the NJPDES permit. If new or expanded infrastructure is anticipated to be needed within five years, NJAC 7:15-4.5(b)5 and (b)7 require the WMP agency to begin coordinating with DEP and the wastewater treatment facility to evaluate the technical feasibility of new or expanded infrastructure, and facilitate the development of wastewater management strategies well in advance of permitting, financing, design and construction where the treatment works is proposed to discharge to surface water.

<p>CWA 208(b)(2)(F)</p>	<p>Identify agriculturally and silviculturally related nonpoint sources of pollution and control methods</p> <p>(G) identify mine-related sources of pollution and control methods</p> <p>(H) identify construction activity related sources of pollution and control methods</p> <p>(I) salt water intrusion into rivers, lakes, and estuaries resulting from reduction of fresh water flow and control methods</p> <p>(J) a process to control the disposition of all residual waste generated in such area which could affect water quality</p> <p>(K) a process to control the disposal of pollutants</p>	<p>NJSA 58:11A-5f.</p> <p>NJSA 58:11A-5g.</p> <p>NJSA 58:11A-5h.</p> <p>NJSA 58:11A-5i</p> <p>NJSA 58:11A-5j</p> <p>NJSA 58:11A-5k</p>	<p>NJPDES permitting programs (NJAC 7:14A) regulate point sources of pollution, mine-related sources of pollution, construction-related sources of pollution, the disposition of residual waste which could affect water quality, and the disposal of pollutants on land or in subsurface excavations to protect water quality. Nonpoint sources of pollution are regulated by NJDEP under the Flood Hazard Control Rules at NJAC 7:13 and the Stormwater Management Rules at 7:8, and by the NJ Dept. of Agriculture under the Soil Erosion and Sediment Control Act at NJSA 4:24-39. Further, flow reductions are incentivized by the SRF loan program in NJAC 7:22 to evaluate flow reduction methods.</p>
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CWA 208(b)(3)	<p>on land or in subsurface excavations within such area to protect ground and surface water quality</p> <p>annual certification of areawide plans</p>		Annual certification of the plans in the NJ Register
CWA 208(d)	grants for construction of a publicly owned treatment works available only to designated agency	NJSA 58:11A-10 provides that the commissioner shall not make any grant for construction of a publicly owned treatment works not identified in the areawide plan.	
CWA 208(e)	No NPDES permit shall be issued for any point source which is in conflict with an areawide plan	NJSA 58:11A-10: provides that the Commissioner shall not grant any permit which is in conflict with an adopted areawide plan.	7:15-3.2(a) provides that all projects and activities affecting water quality shall be developed and conducted in a manner that is consistent with adopted areawide plans, and that the Department shall not issue a permit that conflicts with an adopted areawide plan.
CWA 303(d) CWA 305(b)	Water quality inventory; identification and establishment of a priority ranking for	NJSA 58:11A-7 authorizes and directs the Commissioner to conduct statewide assessment of water quality, establish water	The Department prepares the Integrated Water Quality Monitoring and Assessment Report (Integrated Report)(See, <a href="http://www.state.nj.us/dep/wms/bears/assessment.htm">http://www.state.nj.us/dep/wms/bears/assessment.htm</a> ). The Water Quality Inventory Report or "305(b) Report"

<p>CWA 303(e)</p>	<p>waters for which effluent limitations are not stringent enough to implement applicable water quality standards, including thermal discharges; establishment of total maximum daily loads.</p> <p>Each State shall have a continuing planning process (CPP). Elements of a CPP must include effluent limitations and schedules of compliance; elements of applicable areawide waste management plans under section 208, and applicable basin plans under section; total maximum daily loads; procedures for revision; intergovernmental</p>	<p>quality goals and standards, and establish total maximum daily loads.</p> <p>NJSA 58:11A-7 provides that the Commissioner shall conduct a CPP to integrate and unify the statewide and areawide water quality management planning processes; conduct a statewide assessment of water quality and establish water quality goals and water quality standards for the waters of the State; develop a statewide implementation strategy to achieve the water quality standards; the determination of effluent limitations and schedules of compliance; the determination of</p>	<p>describes the status of waters in terms of overall water quality and support of designated uses, as well as strategies to maintain and improve water quality. New Jersey's Integrated Report identifies the use assessment results for all waters of the State, grouped into subwatershed or other hydrologically-based assessment units. Assessment units that do not attain applicable surface water quality standards or fully support applicable designated uses require the development of a total maximum daily load (TMDL) and are placed on the 303(d) List of Water Quality Limited Waters. Sources and causes of pollutants causing use impairment are identified, where known. Waters that do not support the applicable designated uses are placed on the 303(d) List along with the pollutant causing non-support. The Water Quality Limited Waters List and TMDLs are promulgated in accordance with NJAC 7:15-5.</p> <p>The continuing planning process is conducted through various Department programs such as areawide planning, promulgation of water quality standards, water quality monitoring and assessment, permitting and best management practices.</p>
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	<p>cooperation; implementation for revised or new water quality standards; controls over the disposition of all residual waste from any water treatment processing; an inventory and ranking, in order of priority, of needs for construction of waste treatment works.</p>	<p>the total maximum daily loads ; the incorporation of areawide waste managements; an inventory and ranking of needs, in order of priority, for the construction of municipal waste treatment works needed to meet the water quality goals and standards; and methods for controlling all residual wastes from any water treatment processing.</p>	
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