



## State of New Jersey

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Mail Code - 401-02B  
Water Pollution Management Element  
Bureau of Nonpoint Pollution Control  
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[http://www.state.nj.us/dep/dwq/bnpc\\_home.htm](http://www.state.nj.us/dep/dwq/bnpc_home.htm)

BOB MARTIN  
*Commissioner*

December 8, 2017

**SENT VIA EMAIL** to: [vcahill@newmilfordboro.com](mailto:vcahill@newmilfordboro.com)

Vince Cahill  
NEW MILFORD BORO  
930 RIVER RD  
NEW MILFORD, NJ 07646

Re: Stormwater Discharge General Permit Authorization Renewal  
Category: R9 -Tier A Municipal Stormwater General Permit  
NJPDES: NJG0149373 / PI ID #: 202039  
NEW MILFORD BORO  
New Milford Boro, Bergen County

Dear Stormwater Program Coordinator:

Enclosed is New Jersey Pollutant Discharge Elimination System (NJPDES) Authorization to Discharge No. NJG0149373 (Category R9 -Tier A Municipal Stormwater General Permit) issued under the authority of Stormwater NJPDES Master General Permit No. NJ0141852 (Tier A Permit).

The permit and associated documents are posted at [http://www.nj.gov/dep/dwq/tier\\_a.htm](http://www.nj.gov/dep/dwq/tier_a.htm), where you can find a copy of the Tier A Permit, and a Response to Comments document, which includes a summary of the significant and relevant comments received during the Tier A Permit public comment period, the Department's responses, and an explanation of any changes from the draft action. In addition, you can also find a crosswalk which provides a detailed comparison of changes from 2009 to this 2017 permit, and a Frequently Asked Questions document. These documents will be useful in understanding your renewed Authorization.

If you have any questions or comments regarding the above referenced action, please contact Matt Klewin by telephone at 609-633-7021.

Sincerely,

James J. Murphy, Chief  
Bureau of Nonpoint Pollution Control

C: Water Compliance and Enforcement Regional Office



Mail Code - 401-02B  
Bureau of Nonpoint Pollution Control  
Water Pollution Management Element  
PO Box 420  
Trenton, NJ 08625-0420  
Phone: (609) 633-7021  
Fax: (609) 777-0432

**AUTHORIZATION TO DISCHARGE**  
**R9 -Tier A Municipal Stormwater General Permit**

**Facility Name:** NEW MILFORD BORO

**Permit Number:** NJG0149373

**Program Interest No.:** 202039

**Facility Address:**

930 RIVER RD  
NEW MILFORD, NJ 07846-3099

**Type of Activity:** Stormwater Discharge General Permit Authorization Renewal

**Owner:**

NEW MILFORD BORO  
930 RIVER RD  
NEW MILFORD, NJ 07646

**Operating Entity:**

NEW MILFORD BORO  
930 RIVER RD  
NEW MILFORD, NJ 07646

**Issuance Date:**

12/08/2017

**Effective Date:**

01/01/2018

**Expiration Date:**

12/31/2022

Your Request for Authorization under NJPDES General Permit No. NJ0141852 has been approved by the New Jersey Department of Environmental Protection.

**James J. Murphy, Chief**  
Bureau of Nonpoint Pollution Control

**Date:** 12/08/2017

(Terms, conditions and provisions attached hereto)

**Division of Water Quality**

## PART I GENERAL REQUIREMENTS: NJPDES

### A. General Requirements of all NJPDES Permits

#### 1. Requirements Incorporated by Reference

- a. The permittee shall comply with all conditions set forth in this permit and with all the applicable requirements incorporated into this permit by reference. The permittee is required to comply with the regulations, including those cited in paragraphs b. through e. following, which are in effect as of the effective date of the final permit.
- b. General Conditions
- |                                                     |                                     |
|-----------------------------------------------------|-------------------------------------|
| Penalties for Violations                            | N.J.A.C. 7:14-8.1 <u>et seq.</u>    |
| Incorporation by Reference                          | N.J.A.C. 7:14A-2.3                  |
| Toxic Pollutants                                    | N.J.A.C. 7:14A-6.2(a)4i             |
| Duty to Comply                                      | N.J.A.C. 7:14A-6.2(a)1 & 4          |
| Duty to Mitigate                                    | N.J.A.C. 7:14A-6.2(a)5 & 11         |
| Inspection and Entry                                | N.J.A.C. 7:14A-2.11(e)              |
| Enforcement Action                                  | N.J.A.C. 7:14A-2.9                  |
| Duty to Reapply                                     | N.J.A.C. 7:14A-4.2(e)3              |
| Signatory Requirements for Applications and Reports | N.J.A.C. 7:14A-4.9                  |
| Effect of Permit/Other Laws                         | N.J.A.C. 7:14A-6.2(a)6 & 7 & 2.9(c) |
| Severability                                        | N.J.A.C. 7:14A-2.2                  |
| Administrative Continuation of Permits              | N.J.A.C. 7:14A-2.8                  |
| Permit Actions                                      | N.J.A.C. 7:14A-2.7(c)               |
| Reopener Clause                                     | N.J.A.C. 7:14A-6.2(a)10             |
| Permit Duration and Renewal                         | N.J.A.C. 7:14A-2.7(a) & (b)         |
| Consolidation of Permit Process                     | N.J.A.C. 7:14A-15.5                 |
| Confidentiality                                     | N.J.A.C. 7:14A-18.2 & 2.11(g)       |
| Fee Schedule                                        | N.J.A.C. 7:14A-3.1                  |
| Treatment Works Approval                            | N.J.A.C. 7:14A-22 & 23              |
- c. Operation And Maintenance
- |                                      |                       |
|--------------------------------------|-----------------------|
| Need to Halt or Reduce not a Defense | N.J.A.C. 7:14A-2.9(b) |
| Proper Operation and Maintenance     | N.J.A.C. 7:14A-6.12   |
- d. Monitoring And Records
- |                                               |                    |
|-----------------------------------------------|--------------------|
| Monitoring                                    | N.J.A.C. 7:14A-6.5 |
| Recordkeeping                                 | N.J.A.C. 7:14A-6.6 |
| Signatory Requirements for Monitoring Reports | N.J.A.C. 7:14A-6.9 |
- e. Reporting Requirements
- |                                               |                                       |
|-----------------------------------------------|---------------------------------------|
| Planned Changes                               | N.J.A.C. 7:14A-6.7                    |
| Reporting of Monitoring Results               | N.J.A.C. 7:14A-6.8                    |
| Noncompliance Reporting                       | N.J.A.C. 7:14A-6.10 & 6.8(h)          |
| Hotline/Two Hour & Twenty-four Hour Reporting | N.J.A.C. 7:14A-6.10(c) & (d)          |
| Written Reporting                             | N.J.A.C. 7:14A-6.10(e) & (f) & 6.8(h) |
| Duty to Provide Information                   | N.J.A.C. 7:14A-2.11, 6.2(a)14 & 18.1  |
| Schedules of Compliance                       | N.J.A.C. 7:14A-6.4                    |
| Transfer                                      | N.J.A.C. 7:14A-6.2(a)8 & 16.2         |

## PART II

# GENERAL REQUIREMENTS: DISCHARGE CATEGORIES

### A. Additional Requirements Incorporated By Reference

- a. The Stormwater Management rules at N.J.A.C. 7:8.
- b. Conditions for General Permits at N.J.A.C. 7:14A-6.13, including the Department's authority to require, for due cause, a Tier A Municipality to apply for and obtain a different stormwater permit for specific activities otherwise authorized under this permit.
- c. Additional Conditions applicable to UIC permits at N.J.A.C. 7:14A-8.9, UIC Corrective Action (N.J.A.C. 7:14A-8.11) and UIC Operating Criteria (N.J.A.C. 7:14A-8.16).
- d. Conditions for reopening and modification of small MS4 permits at N.J.A.C. 7:14A-16.4(b) and N.J.A.C. 7:14A-25.7(b).
- e. Requirements for Discharges to Ground Water at N.J.A.C. 7:14A-7.
- f. National Pollutant Discharge Elimination System (NPDES) Electronic Reporting rule at 40 CFR Part 127.

### B. General Conditions

#### 1. Notification of Non-Compliance

- a. The Tier A Municipality shall notify the Department of any non-compliance when required by N.J.A.C. 7:14A-6.10 by contacting the DEP Hotline at 1-877-WARN-DEP.

#### 2. Discharge of Pollutants

- a. For discharges authorized by this permit, the Tier A Municipality is exempt from N.J.A.C. 7:14A-6.2(a)2. This exemption means that the discharge of any pollutant not specifically regulated in this NJPDES permit or listed and quantified in the RFA shall not constitute a violation of the permit.

#### 3. Standard Reporting Requirements – Electronic Reporting of NJPDES Information

- a. Unless already required by this permit to be submitted electronically by an earlier date, effective December 21, 2020, the below identified documents and reports shall be electronically submitted via the Department's designated electronic submission service:
  - i. General permit authorization requests (i.e. RFAs);
  - ii. General permit termination/revocation requests; and
  - iii. Municipal separate storm sewer system (MS4) program reports (see Part IV.G).

#### 4. Other Regulatory Requirements

- a. Permit conditions remain in effect and enforceable until and unless the permit is modified, renewed or revoked by the Department.
- b. The issuance of this permit shall not be considered as a waiver of any applicable federal, State or local rules, regulations and ordinances.
- c. In accordance with N.J.A.C. 7:14A-6.2(a)7, this permit does not authorize any infringement of State or local law or regulations, including, but not limited to, N.J.A.C. 7:50 (the Pinelands rules), N.J.A.C. 7:1-E (Discharges of Petroleum and other Hazardous Substances), regulations concerning threatened and endangered species and their designated critical habitat, and other Department rules. No discharge of hazardous substances (as defined in N.J.A.C. 7:1E-1.6) resulting from an onsite spill shall be deemed to be “pursuant to and in compliance with this permit” within the meaning of the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11c.
- d. While the Tier A Municipality is required to comply with applicable operation and maintenance requirements of N.J.A.C. 7:14A-6.12(a), the Tier A Municipality is exempt from the operations and maintenance manual requirements of N.J.A.C. 7:14A-6.12(c). This exemption applies only to discharges authorized under this permit and does not alter the operation and maintenance requirements for municipally or privately owned stormwater facilities specified in this permit or N.J.A.C. 7:8.

## C. Eligibility

### 1. Permit Scope

- a. The Tier A MS4 NJPDES Permit applies to all areas of New Jersey as follows:
  - i. This permit applies to all municipalities assigned to Tier A under N.J.A.C. 7:14A-25.3(a)1. Tier A Municipalities are generally located within the more densely populated regions of the state or along or near the Atlantic coast.
  - ii. On a case-by-case basis, the Department may use this permit to regulate municipalities assigned to Tier B under N.J.A.C. 7:14A-25.3(a). As used in this permit, the term “Tier A Municipality” includes Tier B Municipalities that seek or obtain authorization under this provision of this permit.
- b. This permit applies to the owner or operator of the Municipal Separate Storm Sewer System (MS4) meaning the Tier A Municipality. The owner or operator is responsible for ensuring compliance with this permit.
- c. The short title of this permit is the “Tier A MS4 NJPDES permit.”

### 2. Authorized Discharges Under the Tier A MS4 NJPDES Permit

- a. Eligible Stormwater Discharges – Except as provided in Part II.C.3 below, this permit authorizes all new and existing stormwater discharges to surface water and groundwater from:
  - i. Small MS4s (as defined at N.J.A.C. 7:14A-1.2) owned or operated by Tier A Municipalities; and
  - ii. Municipal maintenance yards and other ancillary operations (see Part IV.B.5.c) owned or operated by Tier A Municipalities.

- b. Eligible Non-Stormwater Discharges – Except as identified in Part II.C.3.e below, the following new and existing non-stormwater discharges from small MS4s owned or operated by Tier A Municipalities and from Municipal maintenance yards and other ancillary operations (see Part IV.B.5.c) owned or operated by Tier A Municipalities are eligible for authorization under this permit:
- i. Potable water line flushing and discharges from potable water sources, excluding the discharge of filter backwash and first flush water from potable well development/redevelopment activities utilizing chemicals in accordance with N.J.A.C. 7:9D. The volume of first flush water, which is a minimum of three times the volume of the well water column, shall be handled and disposed of properly;
  - ii. Uncontaminated ground water (e.g. infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters);
  - iii. Air conditioning condensate (excluding contact and non-contact cooling water; and industrial refrigerant condensate);
  - iv. Irrigation water (including landscape and lawn watering runoff);
  - v. Flows from springs, riparian habitats, wetlands, water reservoir discharges and diverted stream flows;
  - vi. Residential car washing water; and dechlorinated swimming pool discharges from single family residential homes;
  - vii. Sidewalk, driveway and street wash water;
  - viii. Flows from firefighting activities including the washing of fire fighting vehicles;
  - ix. Flows from clean water rinsing of beach maintenance equipment immediately following use and only if the equipment is used for its intended purpose;
  - x. Flows from clean water rinsing of equipment and vehicles used in the application of salt and de-icing materials. Prior to rinsing, all equipment shall be cleaned using dry methods such as shoveling and sweeping. Recovered materials are to be returned to storage or properly discarded; and
  - xi. Rinsing of equipment in Part II.C.2.b.ix and x, above is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

### **3. Discharges Not Authorized Under the Tier A MS4 NJPDES Permit**

- a. Stormwater Discharges Associated with Industrial Activity
- i. The Tier A MS4 NJPDES Permit does not authorize “stormwater discharge associated with industrial activity” as defined in N.J.A.C. 7:14A-1.2 except as otherwise specifically provided in this permit.
  - ii. Types of facilities that a Tier A Municipality might operate and that are considered to be engaging in “industrial activity” include but are not limited to certain: 1) landfills; 2) transportation facilities (including certain local passenger transit and air transportation facilities); 3) facilities handling domestic sewage or sewage sludge; and 4) steam electric power generating facilities.

- iii. Any municipality that operates an industrial facility with such a discharge must submit a separate Request for Authorization (RFA) or individual permit application for that discharge (see [www.nj.gov/dep/dwq/forms\\_storm.htm](http://www.nj.gov/dep/dwq/forms_storm.htm)). An RFA submitted for the Tier A MS4 NJPDES Permit does not qualify as an RFA for such a discharge.
  - iv. Yard Trimmings and Wood Waste Management Sites that are not owned and operated by the Tier A Municipality.
- b. Stormwater Discharges Associated with Construction Activity
- i. The Tier A MS4 NJPDES Permit does not authorize “stormwater discharges associated with construction activity” as described in N.J.A.C. 7:14A-24.10(a). In general, this is the discharge to surface water of stormwater from construction activity that disturbs at least one acre.
  - ii. Any municipality that operates a construction site with such a discharge shall submit a separate RFA under NJPDES Permit No. NJ0088323 (General Stormwater Permit Construction Activity, see [www.nj.gov/dep/dwq/5g3.htm](http://www.nj.gov/dep/dwq/5g3.htm)), or an application for an individual permit for that discharge. An RFA submitted for the Tier A MS4 NJPDES Permit does not qualify as an RFA for such a discharge. See Part IV.B.3 of the Tier A MS4 NJPDES Permit.
- c. Stormwater Discharges Authorized under Another NJPDES Permit
- i. The Tier A MS4 NJPDES Permit does not authorize any stormwater discharge that is authorized under another NJPDES permit.
  - ii. A Tier A Municipality does not have to implement measures contained in this NJPDES permit for stormwater discharges at facilities owned or operated by that municipality that are regulated under a separate NJPDES stormwater permit authorizing those discharges.
- d. Stormwater Discharges that Conflict with a Water Quality Management Plan
- i. The Tier A MS4 NJPDES Permit does not authorize stormwater discharges from projects or activities that conflict with an adopted Areawide or Statewide Water Quality Management Plan.
- e. Non-Stormwater Discharges that are Contributors of Pollutants
- i. If any of the discharges listed in Part II.C.2.b above are identified by the Tier A Municipality as a significant contributor of pollutants to or from the MS4, the Tier A Municipality must address the discharge as an illicit connection or as an improper disposal of waste as specified in Part IV.B.6 of this permit.

## **D. Administrative Process**

### **1. Automatic Renewal of Authorizations**

- a. Upon reissuance of this general permit, existing authorizations shall be automatically renewed as provided by N.J.A.C. 7:14A-6.13(d)9 and 25.4(a)3 using the information provided in the permittees' most recently submitted RFA.

### **2. Notification of Changes**

- a. A Tier A Municipality shall provide a corrected RFA to the Department within 90 days of the effective date of a renewed authorization under this general permit if any information in its most recently submitted RFA is no longer true, accurate, and/or complete.
- b. The Tier A Municipality shall notify the Department of any changes of its Municipal Stormwater Program Coordinator information using [www.nj.gov/dep/dwq/pdf/msrp\\_update\\_form.pdf](http://www.nj.gov/dep/dwq/pdf/msrp_update_form.pdf)

- c. A Tier A Municipality that already has authorization to discharge from a small MS4 under the Tier A permit does not need to submit an RFA for the expansion (e.g. new residential development) of an existing small MS4.

**3. Requests for Authorization (RFA, see [www.nj.gov/dep/dwq/forms\\_storm.htm](http://www.nj.gov/dep/dwq/forms_storm.htm))**

- a. New RFAs under the Tier A MS4 permit
  - i. A single RFA is required for the entire eligible discharge from the small MS4 owned or operated by and located within a single municipality. Multiple RFAs are not required for multiple municipal operations (e.g., municipally owned and operated maintenance yards or other ancillary operations, facilities, garages, and/or offices).
  - ii. An RFA shall include at a minimum: the name and address of the municipality; the name and address of the Municipal Stormwater Program Coordinator; a certification acknowledging the best management practices and measurable goals specified in the permit; and any other information as required by the Department.
- b. Upon receipt of an RFA the Department may, in accordance with N.J.A.C. 7:14A-6.13, do one of the following:
  - i. Issue notification of authorization under this permit;
  - ii. Deny authorization under this permit and require submittal of an application for an individual permit; or
  - iii. Deny authorization under this permit and require submittal of an RFA for another general permit.
- c. Reassignment of Municipality to Tier A
  - i. If a municipality receives notice from the Department (pursuant to N.J.A.C. 7:14A-25.3(a)(3)) that it has been reassigned from Tier B to Tier A (pursuant to N.J.A.C. 7:14A-25.3(a)(1) and (2)), the deadline to submit an RFA is 180 days after the receipt of that notice, unless the Department approves a later date.

NEW MILFORD BORO  
New Milford Boro

Permit No. NJG0149373  
DST170001  
Stormwater Discharge General Permit Authorization Renewal

## **PART III**

### **Recordkeeping and Reporting**

The Tier A Municipality shall keep records necessary to document, in the Annual Report and Certification, the status of compliance with the conditions of this permit. The requirement to keep records and to submit an Annual Report and Certification is found at Part IV.G of this permit.

## PART IV

# SPECIFIC REQUIREMENTS: NARRATIVE

### Notes and Definitions

#### A. Footnotes

##### 1. Acronyms

- a. Stormwater acronyms included in this permit are as follows:
  - i. "BMP" - Best Management Practice
  - ii. "CFR" - Code of Federal Regulations
  - iii. "EDPA" - Effective Date of Permit Authorization
  - iv. "MS4" - Municipal Separate Storm Sewer System
  - v. "MSWMP" - Municipal Stormwater Management Plan
  - vi. "MSRP" - Municipal Stormwater Regulation Program
  - vii. "MTD" - Manufactured Treatment Device
  - viii. "N.J.A.C." - New Jersey Administrative Code
  - ix. "NJPDES" - New Jersey Pollutant Discharge Elimination System
  - x. "N.J.S.A." - New Jersey Statutes Annotated
  - xi. "RSIS" - Residential Site Improvement Standards
  - xii. "SPPP" - Stormwater Pollution Prevention Plan
  - xiii. "TMDL" - Total Maximum Daily Load

##### 2. Internal Cross References

- a. For the purposes of this permit:
  - i. References to Part IV Notes and Definitions are preceded with the words "Notes and Definitions" (e.g. Notes and Definitions Part IV.A.1 refers to Acronyms).
  - ii. References to Part IV Tier A MS4 NJPDES Permit are not preceded by descriptive text (e.g. Part IV.A.1 refers to Overview of the Tier A MS4 NJPDES Permit).

##### 3. Department Resources for Guidance Relating to MS4 Issues

- a. MS4 main website and related links: [www.nj.gov/dep/dwq/msrp\\_home.htm](http://www.nj.gov/dep/dwq/msrp_home.htm)
- b. MS4 Tier A Guidance document: [www.nj.gov/dep/dwq/tier\\_a\\_guidance.htm](http://www.nj.gov/dep/dwq/tier_a_guidance.htm)

## Notes and Definitions

- c. Construction Site Stormwater Runoff: [www.nj.gov/dep/dwq/5g3.htm](http://www.nj.gov/dep/dwq/5g3.htm)
- d. Snow Removal and Disposal Policy: [www.nj.gov/dep/dwq/bnpc\\_home.htm](http://www.nj.gov/dep/dwq/bnpc_home.htm)
- e. Green Infrastructure and related links: [www.nj.gov/dep/gi/](http://www.nj.gov/dep/gi/)
- f. Stormwater management information and training tools: [www.nj.gov/dep/stormwater/](http://www.nj.gov/dep/stormwater/)
- g. Public education for stormwater pollution: [www.cleanwater.nj.org](http://www.cleanwater.nj.org)
- h. Clean Communities, a statewide litter abatement program: [www.njclean.org](http://www.njclean.org)
- i. Total Maximum Daily Load (TMDL) information: [www.nj.gov/dep/dwq/msrp-tmdl-rh.htm](http://www.nj.gov/dep/dwq/msrp-tmdl-rh.htm)

### 4. EPA Resources for Guidance Relating to MS4 Issues

- a. EPA's MS4 website and related links:  
[www.epa.gov/npdes/stormwater-discharges-municipal-sources](http://www.epa.gov/npdes/stormwater-discharges-municipal-sources)
- b. EPA's National Menu of Stormwater Best Management Practices:  
[www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater](http://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater)
- c. EPA's guidance for Green Infrastructure:  
<http://water.epa.gov/infrastructure/greeninfrastructure/index.cfm>
- d. Guidance from EPA Region 3 for municipalities that wish to improve their municipal stormwater programs: [www.epa.gov/npdes/pubs/region3\\_factsheet\\_swmp.pdf](http://www.epa.gov/npdes/pubs/region3_factsheet_swmp.pdf)
- e. EPA's Trash Free Waters resource page: [www.epa.gov/trash-free-waters](http://www.epa.gov/trash-free-waters)
- f. Illicit Discharge Detection and Elimination Guidance  
[www3.epa.gov/npdes/pubs/idde\\_manualwithappendices.pdf](http://www3.epa.gov/npdes/pubs/idde_manualwithappendices.pdf)

## B. Definitions

### 1. Definitions

- a. All words and terms used in this permit shall have meanings as defined in the "Regulations Concerning the New Jersey Pollutant Discharge Elimination System" (N.J.A.C. 7:14A), unless otherwise stated or unless the context clearly requires a different meaning.
- b. "Catch Basin" means a cistern, vault, chamber or well that is usually built along a street as part of the storm sewer system to capture sediment, debris, and pollutants.
- c. "Effective Date of Permit Authorization" means the date the permittee's authorization to discharge under this Tier A MS4 NJPDES permit becomes effective. This date may be found on the permittee's Authorization to Discharge.
- d. "Existing permittee" means a municipality that held an authorization to discharge under the Tier A MS4 NJPDES permit on or before December 31, 2017.
- e. "Green infrastructure" means methods of stormwater management that reduce wet weather/stormwater volume, flow, or changes the characteristics of the flow into combined or separate sanitary or storm sewers, or surface waters, by allowing the stormwater to infiltrate, to be treated by vegetation or by soils, or to be stored for reuse. Green infrastructure includes, but is not limited to, pervious paving, bioretention basins, vegetated swales, and cisterns.

- f. "Illicit connection" means any physical or non-physical (i.e. leak, flow, or overflow into the municipal separate storm sewer system) connection that discharges the following to a municipal separate storm sewer system (unless that discharge is authorized under a NJPDES permit other than this Tier A MS4 NJPDES permit);
- i. Domestic sewage;
  - ii. Non-contact cooling water, process wastewater, or other industrial waste (other than stormwater); or
  - iii. Any category of non-stormwater discharges that a permittee for the MS4 identifies as a source or significant contributor of pollutants pursuant to 40 C.F.R. 122.34(b)(3)(iii).
- g. "Maintenance plan" means a maintenance plan pursuant to N.J.A.C. 7:8-5.2(b) and 5.8 prepared by the design engineer for the stormwater management measures incorporated into the design of a major development.
- h. "Major development" means any development that provides for ultimately disturbing one or more acres of land and any additional development defined as "major development" by a municipality's stormwater control ordinance. Disturbance is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Projects undertaken by any government agency which otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."
- i. "Manufactured treatment device" means a pre-fabricated stormwater treatment structure utilizing settling, filtration, absorptive/adsorptive materials, vortex separation, vegetative components, and/or other appropriate technology to remove pollutants from stormwater runoff.
- j. "Municipal separate storm sewer" means a municipal separate storm sewer as defined in N.J.A.C. 7:14A-1.2.
- k. "Municipality" means a municipality as defined in the Municipal Land Use Law at N.J.S.A. 40:55D-5, that is, any city, borough, town, township, or village.
- l. "New permittee" means a municipality that obtains its first authorization to discharge under the Tier A MS4 NJPDES permit on or after January 1, 2018.
- m. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (a door is recommended, but not required). A fabric frame structure is a permanent structure if it meets the following specifications:
- i. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
  - ii. The design shall prevent stormwater run-on and run through and the fabric cannot leak;
  - iii. The structure shall be erected on an impermeable slab;
  - iv. The structure cannot be open sided; and
  - v. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

- n. "Small MS4" means all municipal separate storm sewers (other than "large" or "medium" municipal separate storm sewer systems as defined in N.J.A.C. 7:14A-1.2) that are:
- i. Owned or operated by municipalities described under N.J.A.C. 7:14A-25.1(b);
  - ii. Owned or operated by county, State, interstate, or Federal agencies, and located at public complexes as described under N.J.A.C. 7:14A-25.2(a)2;
  - iii. Owned or operated by county, State, interstate, or Federal agencies, and located at highways and other thoroughfares as described under N.J.A.C. 7:14A-25.2(a)3; or
  - iv. Owned or operated by county, State, interstate, Federal, or other agencies, and receive special designation under N.J.A.C. 7:14A-25.2(a)4.
  - v. Note that all MS4s covered under the Tier A MS4 NJPDES permit are "small MS4s".
- o. "Solids and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids as defined at N.J.A.C. 7:14A-25.6(b)3iii.
- p. "Storm drain inlet" means the point of entry into the storm drain system and is, where a catch basin is present, the uppermost portion (or cover) of a catch basin.
- q. "Stormwater" means water resulting from precipitation (including rain and snow) that runs off the land's surface; is transmitted to the subsurface; is captured by separate storm sewers or other sewerage or drainage facilities; or is conveyed by snow removal equipment.
- r. "Stormwater facility" includes, but is not limited to: catch basins, detention basins, retention basins, filter strips, riparian buffers, infiltration trenches, sand filters, constructed wetlands, wet basins, bioretention systems, low flow bypasses, and stormwater conveyances. Stormwater facilities include structural stormwater management measures.
- s. "Stormwater management basin" means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management basin may either be normally dry (that is, a detention basin or infiltration basin), retain water in a permanent pool (a retention basin or wet pond), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).
- t. "Stormwater management measure" means any structural or nonstructural strategy, practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances. Stormwater management measures include stormwater facilities.
- u. "Stream scouring" means the erosion or removal of streambed or bank material by the physical action of flowing water and the sediment that it carries.
- v. "Subsurface infiltration/detention system" means a vault, perforated pipe, and/or stone bed that is located entirely below the ground surface and that temporarily stores and attenuates stormwater runoff."
- w. "Tier A Municipality's MS4" means an MS4 owned and operated by a Tier A Municipality.
- x. "Wood waste" means source separated whole trees, tree trunks, tree parts, tree stumps, brush and leaves provided that they are not composted, and lumber (non-chemically treated and unpainted);
- y. "Yard trimmings" means grass clippings, leaves, wood chips from tree parts, and brush.

- z. "Yard waste" means loose leaves and grass clippings.

## Tier A Municipal Stormwater General Permit

### A. Permit Overview

#### 1. Overview of the Tier A MS4 NJPDES Permit

- a. The Tier A Municipality (i.e. the permittee) is required to develop, update, implement and enforce an MS4 stormwater program. A primary objective of the MS4 stormwater program is to implement best management practices and other measures that are designed to achieve the permit's requirement to reduce the discharge of pollutants from the Tier A Municipality's MS4, municipal maintenance yards and other ancillary operations, to the maximum extent practicable pursuant to N.J.A.C. 7:14A-25.6(a)1 and 40 CFR 122.34(a), to protect water quality, and to satisfy the applicable water quality requirements of the Clean Water Act.

#### 2. Primary Plans Required by the Tier A MS4 NJPDES Permit

- a. The Stormwater Pollution Prevention Plan (SPPP) documents the Tier A Municipality's stormwater program and describes the measures necessary for compliance with the Statewide Basic Requirements as well as any Other Control Measures, Additional Measures and/or Optional Measures (if deemed appropriate). See Part IV.F (SPPP) and Attachment A (Measurable Goals and Implementation Schedule for Existing Permittees) and Attachment A-1 (Measurable Goals and Implementation Schedule for New Permittees).
- b. A significant component of the SPPP is the Municipal Stormwater Management Plan (MSWMP). The MSWMP is also a component of the municipal master plan (N.J.S.A. 40:55D-94). The MSWMP describes the municipality's strategy, structure and process for addressing stormwater runoff from new development and redevelopment to ensure compliance with the Stormwater Management rules (N.J.A.C. 7:8 et seq.). This strategy, structure and process also constitutes much of the post construction stormwater management program in this permit. See Part IV.B.4 (Post Construction). Any MSWMP that complies with N.J.A.C. 7:8 also complies with this condition and Part IV.B.4.f (MSWMP).

#### 3. Summary of Tier A MS4 NJPDES Permit Requirements

- a. The Tier A Municipality shall develop, update, implement and enforce a stormwater program as documented in an SPPP to ensure compliance with:
  - i. The Statewide Basic Requirements. See Part IV.B;
  - ii. Other Control Measures. See Part IV.C;
  - iii. Additional Measures. See Part IV.D; and
  - iv. Optional Measures, if deemed appropriate See Part IV.E.
- b. The Tier A Municipality shall develop, update, implement and maintain a written SPPP in conformance with Attachment A (Measurable Goals and Implementation Schedule for Existing Permittees) and Attachment A-1 (Measurable Goals and Implementation Schedule for New Permittees). See Part IV.A.2.a and IV.F (SPPP).
- c. The Tier A Municipality shall submit an Annual Report and Certification summarizing the status of compliance with this permit. See Part IV.G (Annual Report and Certification).
- d. The Tier A Municipality shall adopt, amend and implement a written MSWMP. See Part IV.A.2.b and B.4.f (MSWMP).

## Tier A Municipal Stormwater General Permit

- e. The Tier A Municipality shall modify and update its stormwater program (including applicable plans and ordinances) to conform with applicable new legislation; or new or amended regulations. Such modification shall be completed and effective within 12 months of written notification by the Department of the need for modification.

### B. Statewide Basic Requirements and Associated Conditions

#### 1. Minimum Standards for Public Involvement and Participation Including Public Notice

- a. Tier A Municipalities shall comply with applicable State and local public notice requirements when providing for public participation in the development and implementation of a MS4 stormwater program. Requirements include but are not limited to:
  - i. The Open Public Meetings Act ("Sunshine Law," N.J.S.A. 10:4-6 et seq.);
  - ii. Statutory procedures for the enactment of ordinances (N.J.S.A. 40:49-2), including the municipal stormwater control ordinance and other ordinances adopted to comply with Part IV of this permit; and
  - iii. The Municipal Land Use Law concerning the adoption or amendment of the MSWMP (N.J.S.A. 40:55D-13, 28 and 94), and the review of applications for development (N.J.S.A. 40:55D-12). The Tier A Municipality shall also ensure that applicants for development meet the notice requirements of N.J.S.A. 40:55D-12.
- b. Tier A Municipalities shall make elements of its MS4 stormwater program available to the public:
  - i. Provide the current SPPP upon request as required by Part IV.F.1.g (SPPP);
  - ii. Post the current SPPP on its website to the extent required by Part IV.F.1.f (SPPP); and
  - iii. Post the current MSWMP and all ordinances required by this permit on its website or otherwise comply with the notification requirements of N.J.A.C. 7:8-4.4(e). See Part IV.B.4.f (MSWMP), 4.g (Stormwater Control Ordinance), 5.a (Community Wide Ordinances).
- c. The Tier A Municipality may involve another entity (e.g. a watershed association) to satisfy one or more of the Tier A Municipality's NJPDES permit condition(s) (or component thereof) through the implementation of one or more best management practices or control measures. See Part IV.F.4 (Implementation of SPPP Conditions through Shared or Contracted Services).
- d. The Tier A Municipality shall maintain records necessary to demonstrate compliance with the public participation requirements of a, above.
- e. Existing Permittee: An existing permittee shall meet the minimum standards of this permit, and the measurable goals (including any recordkeeping) and implementation schedules for Public Involvement and Participation specified in Attachment A for Existing Permittees (Measurable Goals and Implementation Schedule).

#### 2. Minimum Standards for Local Public Education and Outreach

- a. The Tier A Municipality shall implement a Public Education and Outreach Program that focuses on educational and pollution prevention activities about the impacts of stormwater discharges on surface water and groundwater and to involve the public in reducing pollutants in stormwater and mitigating flow. The Tier A Municipality shall annually conduct activities that total at least 12 points and include activities from at least three of the five categories as set forth in Attachment B (Points System for Public Education and Outreach Activities). At a minimum, at least one of the activities shall involve educating businesses and the general public of hazards associated with illicit connections and improper disposal of waste. Records shall be kept necessary to demonstrate compliance with this requirement, including date of activities and any other relevant documentation.
- b. The Tier A Municipality shall label all storm drain inlets for those drains that do not have permanent wording cast into the structure of the inlet. The Tier A Municipality shall also maintain the legibility of those labels and replace any labels that are missing or not legible. See the Tier A Municipal Guidance document ([www.nj.gov/dep/dwq/tier\\_a\\_guidance.htm](http://www.nj.gov/dep/dwq/tier_a_guidance.htm)) for specific measures. This requirement shall include the following:
  - i. All storm drain inlets along sidewalks that are adjacent to municipal streets;
  - ii. All storm drain inlets within plazas, parking areas or maintenance yards that are operated by the municipality.
- c. The Tier A Municipality shall advertise public involvement program(s) pertaining to education and outreach activities on the municipality's website, through a mailing, through newspaper advertisement, or other similar means.
- d. Existing Permittee: An existing permittee shall meet the minimum standards of this permit, and the measurable goals (including any recordkeeping) and implementation schedules for Local Public Education and Outreach specified in Attachment A for Existing Permittees (Measurable Goals and Implementation Schedule).

### 3. Minimum Standards for Construction Site Stormwater Runoff

- a. Construction site stormwater runoff activities are authorized under a separate NJPDES permit, generally the Construction Activity Stormwater General Permit No. NJ0088323 pursuant to N.J.A.C. 7:14A-25.6(b)2 (or an individual permit pursuant to N.J.A.C. 7:14A-24.7(a)2). See Part II.C.3.b and [www.nj.gov/dep/dwq/5g3.htm](http://www.nj.gov/dep/dwq/5g3.htm). Pursuant to N.J.A.C. 7:14A-25.7(b), the Tier A Municipality is not required to reference construction site stormwater runoff control in its SPPP.

### 4. Minimum Standards for Post Construction Stormwater Management in New Development and Redevelopment

- a. The Tier A Municipality shall develop, update, implement and enforce its stormwater management program to address post construction stormwater runoff in new development and redevelopment and to ensure compliance with the Stormwater Management rules at N.J.A.C. 7:8 et seq. In general, the regulations at N.J.A.C. 7:8:
  - i. Contain requirements for stormwater management plans and stormwater control ordinances;
  - ii. Provide information for the adoption and implementation of municipal stormwater management plans and regional stormwater management plans; and
  - iii. Establish design, performance and maintenance standards for stormwater management measures and establish safety standards for stormwater management basins.

- b. The post construction stormwater management program established by the Tier A Municipality shall address stormwater runoff from the following types of major development unless any additional development is defined as "major development" by a municipality's stormwater control ordinance:
- i. New development and redevelopment projects that disturb one acre or more and are not operated by the municipality (e.g. retail stores, residential complexes);
  - ii. New development and redevelopment projects that disturb one acre or more and are operated by the municipality itself (e.g. town complex); and
  - iii. All new development and redevelopment projects that disturb less than one acre and are part of a larger common plan of development or sale (e.g. phased residential development) that ultimately disturbs one acre or more.
- c. The post construction stormwater management program established by the Tier A Municipality shall require compliance with the applicable design, performance and maintenance standards established under N.J.A.C. 7:8 et seq. for major development as defined in this permit.
- d. The Tier A Municipality shall review and analyze development applications for compliance with Part IV.B.4 (Post Construction) of this permit even if a separate permit is required by the Department for the same or similar activity (e.g. a Land Use permit).
- e. The post construction stormwater management program established by the Tier A Municipality shall ensure that any residential development and redevelopment projects that are subject to the Residential Site Improvement Standards (RSIS) for stormwater management (N.J.A.C. 5:21-7) comply with those standards, including any exception, waiver, or special area standard that was approved under N.J.A.C. 5:21 et seq.
- f. The Tier A Municipality shall adopt, amend and implement a written Municipal Stormwater Management Plan (MSWMP), pursuant to N.J.A.C. 7:8 et seq., to describe the framework of the Tier A Municipality's strategy, structure and process for its post construction stormwater management program.
- i. The Tier A Municipality shall submit the adopted plan for approval to the County review agency in accordance with N.J.A.C. 7:8-4;
  - ii. The Tier A Municipality shall notify the Department and post the approved plan and any amendments on its website (or otherwise comply with the notification requirements of N.J.A.C. 7:8-4.4(e)) within thirty days of the effective date of the plan. See Part IV.B.1.b.iii (Public Involvement and Participation);
  - iii. The Tier A Municipality shall review and update its MSWMP as necessary, and as a part of the reexamination of its municipal master plan in accordance with N.J.A.C. 7:8-4.3(c) and (d).
- g. In order to implement the post construction stormwater management program, the Tier A Municipality shall adopt, amend, implement and enforce a municipal stormwater control ordinance. The Tier A Municipality shall develop and adopt the contents of the ordinance in accordance with N.J.A.C. 7:8 et seq. A sample stormwater ordinance consistent with the requirements of the Stormwater Management Rules is posted at [www.nj.gov/dep/stormwater/bmp\\_manual2.htm](http://www.nj.gov/dep/stormwater/bmp_manual2.htm) and a sample stormwater ordinance applicable to Pinelands Area Municipalities is posted at [www.nj.gov/dep/stormwater/pinelands.htm](http://www.nj.gov/dep/stormwater/pinelands.htm). The municipal stormwater control ordinance shall include, at a minimum, the following elements:

- i. Control aspects of residential development and redevelopment projects that are not pre-empted by the RSIS;
  - ii. Control stormwater from non-residential development and redevelopment projects, in accordance with the requirements at N.J.A.C. 7:8 et seq.; and
  - iii. Set forth special area standards approved by the Site Improvement Advisory Board for residential development or redevelopment projects under N.J.A.C. 5:21-3.5.
- h. The Tier A Municipality shall only grant a variance or exemption from the design and performance standards for stormwater management measures if the municipality has a mitigation plan which meets the following requirements:
- i. A mitigation plan must be included in an approved MSWMP and stormwater control ordinance(s). The mitigation plan shall identify measures that are necessary to offset the deficit created by granting the variance or exemption, and can be provided through a menu of design and performance standards with corresponding mitigation projects for different drainage areas within the municipality. See Chapter 3 of the NJ Stormwater BMP Manual at [www.nj.gov/dep/stormwater/](http://www.nj.gov/dep/stormwater/) for guidance; and
  - ii. The municipality submits, within 30 days after the grant of a variance or exemption, a written report to the county review agency and the Department describing the variance or exemption and the required mitigation. Submit the written report to the Department at:  
NJDEP-DWQ-BNPC  
Mail Code 401-02B  
PO Box 420  
Trenton, NJ 08625-0420
- i. The Tier A Municipality shall:
- i. Enforce, through the stormwater control ordinance(s) or a separate ordinance, compliance with the standards set forth in Attachment C (Design Standards for Storm Drain Inlets) of this permit to control passage of solid and floatable materials through storm drain inlets not installed by the Tier A Municipality; and
  - ii. Comply with the standards set forth in Attachment C (Design Standards for Storm Drain Inlets) of this permit to control passage of solid and floatable materials through storm drain inlets installed by the municipality.
- j. The Tier A Municipality shall ensure adequate long-term cleaning, operation and maintenance of stormwater management measures:
- i. Pursuant to Part IV.C.1.a (Stormwater Facilities Maintenance), owned or operated by the Tier A Municipality; and
  - ii. Pursuant to Part IV.C.1.b (Stormwater Facilities Maintenance), not owned or operated by the Tier A Municipality.
- k. For each structural and non-structural stormwater measure (e.g. stormwater management basin, subsurface infiltration/detention system, manufactured treatment device, green infrastructure), the Tier A Municipality shall:
- i. Complete a Major Development Stormwater Summary (as posted on the Department's website at [www.nj.gov/dep/dwq/tier\\_a\\_forms.htm](http://www.nj.gov/dep/dwq/tier_a_forms.htm); courtesy copy provided as Attachment D of this permit) when an application is made to the Tier A Municipality after EDPA;

- ii. Update the Major Development Stormwater Summary while stormwater measures are being installed;
  - iii. Finalize the Major Development Stormwater Summary once certificate of occupancy is issued; and
  - iv. Maintain a completed Major Development Stormwater Summary and make it available to the Department upon request.
- I. The Stormwater Management rules (N.J.A.C. 7:8) and the Residential Site Improvement Standards for stormwater management (N.J.A.C. 5:21-7), independently and as implemented in this permit, apply to all areas of the Tier A Municipality.
  - m. Existing Permittee: An existing permittee shall meet the minimum standards of this permit, and the measurable goals (including any recordkeeping) and implementation schedules for Post Construction Stormwater Management in New Development and Redevelopment specified in Attachment A for Existing Permittees (Measurable Goals and Implementation Schedule).

#### **5. Minimum Standards for Pollution Prevention / Good Housekeeping for Municipal Operators**

- a. Community Wide Ordinances: The Tier A Municipality shall adopt and enforce the following community wide ordinances to address improper disposal of waste:
  - i. Pet Waste Ordinance: Adopt and enforce an ordinance that requires pet owners or their keepers to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person. Information on the Pet Waste Ordinance and the benefits of proper disposal of pet solid waste shall be distributed with pet licenses. See the Tier A Municipal Guidance document ([www.nj.gov/dep/dwq/tier\\_a\\_guidance.htm](http://www.nj.gov/dep/dwq/tier_a_guidance.htm)) for a sample ordinance.
  - ii. Wildlife Feeding Ordinance: Adopt and enforce an ordinance that prohibits the feeding of any wildlife (e.g. Canada Geese) in any public park or on any other property owned or operated by the Tier A Municipality. Exclusions include wildlife confined in zoos, parks, or rehabilitation centers as well the following unconfined animals: (1) wildlife at environmental education centers; (2) feral cats as part of an approved Trap-Neuter-Release program; and (3) other kinds of unconfined animals, if any, that the ordinance specifically lists and excludes for reasons set forth in the ordinance. See the Tier A Municipal Guidance document ([www.nj.gov/dep/dwq/tier\\_a\\_guidance.htm](http://www.nj.gov/dep/dwq/tier_a_guidance.htm)) for a sample ordinance.
  - iii. Litter Control Ordinance: Adopt and enforce a litter ordinance or enforce the existing State litter statute at N.J.S.A 13:1E-99.3. See the Tier A Municipal Guidance document ([www.nj.gov/dep/dwq/tier\\_a\\_guidance.htm](http://www.nj.gov/dep/dwq/tier_a_guidance.htm)) for a sample ordinance.
  - iv. Improper Disposal of Waste Ordinance: Adopt and enforce an ordinance prohibiting the improper spilling, dumping, or disposal of materials other than stormwater into the MS4 system excluding those discharges as allowable under Part II.C.2.b. See the Tier A Municipal Guidance document ([www.nj.gov/dep/dwq/tier\\_a\\_guidance.htm](http://www.nj.gov/dep/dwq/tier_a_guidance.htm)) for a sample ordinance.

- v. Containerized Yard Waste/Yard Waste Collection Program Ordinances: (1) Adopt and enforce an ordinance that prohibits placing non-containerized yard wastes (defined as leaves and/or grass clippings) into the street; or (2) develop and implement a non-containerized yard waste collection and disposal program that includes adoption and enforcement of an ordinance that prohibits placing non-containerized yard waste at the curb or along the street within 10 feet of any storm drain inlet and at any time other than a set yard waste collection schedule. The frequency of yard waste pickups shall be determined at the discretion of the Tier A Municipality but shall be part of a set yard waste collection schedule which is noticed to all municipal residents and businesses. Any area, which the municipality determines to have no yard waste, will be exempt from the collections. See the Tier A Municipal Guidance document ([www.nj.gov/dep/dwq/tier\\_a\\_guidance.htm](http://www.nj.gov/dep/dwq/tier_a_guidance.htm)) for sample ordinances.
  - vi. Private Storm Drain Inlet Retrofitting Ordinance: Adopt and enforce an ordinance requiring the retrofitting of existing storm drain inlets on private property to meet the standard in Attachment C (Design Standard for Storm Drain Inlets). Specifically, this ordinance: 1) shall apply to storm drain inlets, on property not owned or operated by the Tier A Municipality (e.g. condominium associations), that are in direct contact (i.e. contiguous) to repaving; repairing (excluding individual pothole repair); resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen); and reconstruction or alteration of facilities; and 2) shall not apply to a residential lot with one single family house. For a sample ordinance see [www.nj.gov/dep/dwq/tier\\_a.htm](http://www.nj.gov/dep/dwq/tier_a.htm).
  - vii. Additional ordinance requirements of this permit are found at Part IV.B.4.g (Stormwater Control Ordinance) above and Part IV.B.6.d (Illicit Connection Ordinance) below.
- b. Community Wide Measures: The Tier A Municipality shall develop and continue to implement the following community wide pollution prevention/good housekeeping measures to control solids and floatables:
- i. Street Sweeping: Tier A Municipalities shall sweep, at a minimum of once per month (weather and street surface conditions permitting), all streets (including roads or highways) that meet all of the following criteria: (1) the street is owned or operated by the municipality; (2) the street is curbed and has storm drains; (3) the street has a posted speed limit of 35 miles per hour or less; (4) the street is not an entrance or exit ramp; and (5) the street is in a predominantly commercial area.
  - ii. Catch Basin and Storm Drain Inlet Inspection and Cleaning: The Tier A Municipality shall inspect storm drain inlets and any associated catch basins that it owns or operates and remove sediment, trash, or debris when present. Each catch basin and inlet shall be inspected at least once every five years. The Tier A Municipality shall clean any municipally owned or operated storm drain inlet or catch basin as frequently as necessary to eliminate recurring problems and restore proper function.
  - iii. Tier A Municipality Storm Drain Inlet Retrofit: The Tier A Municipality shall retrofit existing Tier A Municipality owned or operated storm drain inlets that are: (1) in direct contact with any repaving, repairing (excluding individual pothole repair), or resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen); or (2) in direct contact with any reconstruction or alteration of facilities. Storm drain inlet retrofits shall meet the standard in Attachment C (Design Standards for Storm Drain Inlets).

- c. **Municipal Maintenance Yards and Other Ancillary Operations:** The Tier A Municipality shall implement the best management practices described in Attachment E (Best Management Practices for Municipal Maintenance Yards and Other Ancillary Operations) for municipal maintenance yards and other ancillary operations owned or operated by the Tier A Municipality. Ancillary operations include but are not limited to impound yards, permanent and mobile fueling locations, and yard trimmings and wood waste management sites. The Inventory of Material and Machinery, and Inspections and Good Housekeeping practices specified in Attachment E shall be conducted at all municipal maintenance yards and other ancillary operations. Best Management Practices shall be implemented for the following activities, whenever such activities occur:
- i. Fueling Operations;
  - ii. Discharge of Stormwater from Secondary Containment;
  - iii. Vehicle Maintenance;
  - iv. On-Site Equipment and Vehicle Washing and Wash Wastewater Containment;
  - v. Salt and De-icing Material Storage and Handling;
  - vi. Aggregate Material and Construction Debris Storage;
  - vii. Street Sweepings, Catch Basin Clean Out, and Other Material Storage;
  - viii. Yard Trimmings and Wood Waste Management Sites that are owned and operated by the Tier A Municipality; and
  - ix. Roadside Vegetation Management.
- d. **Employee Training:** The Tier A Municipality shall develop, update and implement an employee training program to address Tier A MS4 NJPDES permit components and SPPP requirements. All municipal employees shall receive training on those stormwater topics applicable to their title and duties within 3 months of commencement of duties. Records including sign in sheet(s), date(s) of training, and training agenda(s) shall be kept in the SPPP. Training shall occur at least once every two years, unless otherwise specified below:
- i. **Yard Waste Collection Program (if applicable)** – Provide training on frequency of yard waste pickups and schedule; and policy for how and when yard waste can be placed curbside. See Part IV.B.5.a.v (Yard Waste Ordinance).
  - ii. **Monthly Sweeping of Certain Streets in Predominantly Commercial Areas** - Provide training on sweeping schedules and proper management of materials collected. See Part IV.B.5.b.i (Street Sweeping).
  - iii. **Illicit Connection Elimination and Outfall Pipe Mapping** - Provide training on the impacts associated with illicit connections and details of the program including investigation techniques, physical observations, field sampling, and mapping procedures. See Part IV.B.6 (MS4 Outfall Pipe Mapping, and Illicit Discharge) and the National Menu of Stormwater Best Management Practices at [www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater](http://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater).
  - iv. **Outfall Pipe Stream Scouring Detection and Control** - Provide training on how to identify outfall pipe stream scouring and contributing factors. See Part IV.B.6.b (Stream Scouring).

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2018:109

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
DUFFIE	✓			
GRANT	✓			
GROTSKY	✓			
LANGSCHULTZ	✓			
PUTRINO	✓			
MAYOR (tie)				

**WHEREAS**, the State of New Jersey, Department of Environmental Protection, and NJ League of Municipalities have established Stormwater rules to address non-point source pollution, the largest threat to our drinking water supplies statewide; and

**WHEREAS**, the Borough of New Milford has been authorized to Discharge under the New Jersey Pollutant Discharge Elimination System (NJPDES) Tier A Municipal Stormwater General Permit NJ0141852; and

**WHEREAS**, in order to maintain the ability to discharge under the New Jersey Pollutant Discharge Elimination System (NJPDES) Tier A Municipal Stormwater General Permit NJ0141852 the Borough must submit an annual report and certification.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of New Milford that DPW Superintendent, Vince Cahill be named the Program Coordinator for the Borough of New Milford's Stormwater Management Program for the purpose of submitting the Borough's annual report and certification.

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on March 26, 2018.

[Signature]

SEAL