

Summary Status Implementation of the Municipal Stormwater Regulation Program 2006 Annual Report

Introduction

The New Jersey Department of Environmental Protection (Department) developed the Municipal Stormwater Regulation in response to the U. S. Environmental Protection Agency's (USEPA) Phase II rules published in December 1999. The Department revised the National Pollutant Discharge Elimination System (NJPDES) stormwater rules and issued final on February 2, 2004 four (4) NJPDES general permits to authorize stormwater discharges from municipalities throughout the state, as well as public complexes, and highway agencies that discharge stormwater from municipal separate storm sewers (MS4s). The permits address stormwater quality issues related to new development, redevelopment and existing developed areas by requiring regulated entities to develop a stormwater program and implement specific permit requirements referred to as Statewide Basic Requirements (SBRs).

On August 1, 2005, the Department issued modifications intended to clarify, further develop, simplify and refine certain aspects of the four general permits to protect water quality and to assist municipalities, public complexes and highway agencies in complying with the permit's conditions. The modifications include, where applicable, (1) clarifying and expanding the scope of non-stormwater discharges authorized by the permits to include washwater from certain activities; (2) establishing a definition of "catch basin"; (3) revising requirements within the Post-Construction Stormwater Management in New Development and Redevelopment Statewide Basic Requirement (SBR); (4) revising the Yard Waste Ordinance / Collection Program to provide Tier A municipalities with additional flexibility on yard waste collection; and (5) establishing an Equipment and Vehicle Washing SBR.

Compliance Trends

Despite tremendous outreach efforts by both Department Case Managers and Enforcement Officers through out 2004, initial program compliance was generally low. Since then the Department has begun sending out email notifications, giving group presentations, mailing deadline reminder letters and making site inspections to increase awareness of the importance of this program. A positive trend in program compliance has resulted from this continued outreach. The information that follows shows the regulated entities are beginning to fulfill their program requirements in accordance with the implementation schedule set in the permit.

It should be noted that the table below represents a summary of the information contained in the Annual Reports submitted for the time period April 1, 2005 – April 1, 2006. The general permits contain implementation schedules that vary over the five year permit cycle and many of the SBRs are not required to be completed during this reporting period.

Annual Reports and Stormwater Pollution Prevention Plans (SPPP)

	Tier A Municipalities (457)	Tier B Municipalities (102)	Highway Agencies (33)	Public Complexes (77)
Annual Reports submitted	445	100	30	66
Stormwater Pollution Prevention Plans prepared	446	N/A *	31	70

*Note: The Tier B Municipal Stormwater General Permit does not require that municipalities prepare a SPPP.

New Development and Redevelopment

To prevent or minimize pollution of surface waters and groundwater by stormwater runoff from new development and redevelopment projects, municipalities must develop, implement, and enforce a “post-construction program” to control post-construction stormwater runoff from these projects. The Tier A and Tier B permits require municipalities to adopt a Municipal Stormwater Management Plan and Ordinance, and submit the adopted plan and ordinance to the County Planning Board for approval. The Municipal Stormwater Management Plan and Ordinance must be consistent with the standards in the Stormwater Management rule at N.J.A.C. 7:8. The Stormwater Management rules at N.J.A.C. 7:8 are also implemented through the Residential Site Improvement Standards for residential development.

Public Complexes and Highway Agencies do not adopt a Municipal Stormwater Management Plan or Ordinance. Instead the Public Complex and Highway Agency Permit require that they insure that their own “major development” complies with the design standards contained in N.J.A.C. 7:8-5 of the Stormwater Management rule.

Implementing stormwater management rules for major development subject to Residential Site Improvement Standards	451	100	N/A	N/A
Adopted Municipal Stormwater Management Plan	396	93	N/A	N/A
Adopted Stormwater Control Ordinance	313	84	N/A	N/A
Implementing stormwater management rules design standards for own major development project	N/A	N/A	29	62
Submitted Adopted Municipal Stormwater Management Plan and Adopted Stormwater Control Ordinance to County Planning Board	249	73	N/A	N/A

Local Public Education

The Department has been aggressively pursuing public education which is mandated in the Federal Phase II rule. The Department is implementing a Statewide Public Education Program and supplements those efforts by requiring each municipality to implement a local public education program. It is widely recognized that non-point source pollution can often be linked to our daily activities and lifestyles - things like walking pets, washing cars, changing motor oil, fertilizing the lawn, and littering.

Therefore, municipalities are required to educate their residents and businesses on the impact of their day-to-day activities on stormwater quality. Topics include things such as proper use and disposal of fertilizers and pesticides, using native or well-adapted vegetation that requires little or no fertilization, and properly disposing of pet wastes, used motor oil and household hazardous wastes. This is accomplished through the annual distribution of the Department's brochure entitled "Solutions to Stormwater Pollution" and the holding of an "annual event". In addition, Municipalities must label all storm drain inlets over the next 5 years. It is recommended that labeling be done with local youth groups.

Distributed Educational Brochure	364	93	10	30
Methods of distribution include newsletters, mailing with tax or water bill, included in recycling or events calendar, distributed by County, individual mailing and hand delivery.				
Conducted Annual Educational Event	379	90	N/A	28
Annual events held included community days, memorial day parade, earth day, national night out, and Barnegat Bay festival.				
Storm Drain Labeling (began labeling stormdrains)	318	57	10	31
Pet Waste Brochure w/license	390			

Improper Disposal of Waste

Improper Disposal of Waste SBR focuses on the proper disposal of wastes such as pet waste, litter, leaves, and other yard wastes. Most of the BMPs found in this section require the passing of an ordinance. Tier B Municipalities are not required to pass these ordinances. Public Complexes and Highway Agencies are required to pass appropriate regulatory mechanisms.

Pet Waste Ordinance	406		10	34
Litter Ordinance	406		26	48
Improper Disposal of Waste	407		22	48
Wildlife Feeding Ordinance	392		10	34
Yard waste Ordinance				
containerized	111		N/A	N/A
non-containerized	69		N/A	N/A
Vegetative Waste	N/A		N/A	40

Illicit Connection Ordinance	395		22	43
Stormwater Outfall Mapping				
1 st sector	192		14	32
2 nd sector	152		7	23
Outfall Inspections	12102		6347	492
Illicit Connections	154		107	8

Solids and Floatable Controls

Solids and floatable controls are designed to minimize the amount of materials discharged to surface water bodies from MS4s and include, among other things, catch basin retrofitting, catch basin cleaning, and street sweeping. It should be noted that street sweeping include both mandated sweeping and voluntary sweeping (the permit requires that certain defined streets are swept monthly.). The Roadside Vegetation Management BMP is required only to be implemented by Highway Agencies.

Street Sweeping Program	417		31	68
Total miles swept/year	308,271		37,798	11,065
Total amount of materials removed (tons)	131,786		31,313	1,831
Storm drain inlet retrofitting	410		20	35
Catch basin cleaning program				
Inspected and cleaned ALL catch basins	273		9	36
Inspected and cleaned some number of catch basins	340		28	40
Total number of catch basins inspected and cleaned	158,910		38,597	7,745
Total amount of material removed from catch basins(tons)	8,966		4,148	294
Roadside Vegetation Management			29	

Maintenance Yard Operations

Salt storage structures constructed	335		30	31
Fueling SOP	337		28	55
Vehicle Maintenance SOP	374		28	49
Good Housekeeping SOP	392		28	60

Sharing of Responsibility

Implemented some type of sharing of services	202	27	13	28
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