



BUREAU OF NONPOINT POLLUTION CONTROL
 DIVISION OF WATER QUALITY
 NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION



INDUSTRIAL STORMWATER PERMITTING PROGRAM REGULATED DISCHARGES AND REGULATED FACILITIES

WHAT STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY ARE REGULATED?

Unless all of your industrial facility's stormwater is discharged to a combined sewer (one that carries sanitary waste water and stormwater to a municipal treatment plant) or all the stormwater discharges to a municipal treatment plant) or all the stormwater on or leaving the site soaks into the soil (discharges to ground water), you must apply for or have a NJPDES permit for stormwater discharge to surface water (either an industrial general stormwater permit, or an industrial individual stormwater permit, as appropriate). Stormwater includes stormwater runoff, snow melt runoff, and surface runoff and drainage. Wash waters and non-contact cooling waters are not stormwater.

If all the stormwater from your facility soaks into the soil or the ground and is discharged to ground water, it is not regulated under this surface water program. However, if all or part of the stormwater is discharged to ground water or soaks into the soil it may require a discharge to ground water permit. Stormwater discharges to ground water occur if any of the following stormwater devices or conveyances are used: permeable detention or retention basins; dry wells; seepage pits; leaching fields; underground trenches; injection wells; and overland flow. If there is a stormwater discharge to ground water (as defined above), you must check with ground water staff at (609)292-0407 to determine if a permit application is necessary. If the stormwater discharged to ground water is combined with any other industrial discharge or a non-stormwater discharge, you should

immediately call the Bureau. If you have a NJPDES permit which incorporated all discharges to ground water, no action is required at this time.

WHAT FACILITIES ARE REGULATED?

The following categories of facilities are considered to be engaging in "industrial activity" for the purposes of the New Jersey Pollutant Discharge Elimination System (NJPDES) permit application regulations for stormwater discharges:

(i) Facilities subject to stormwater effluent limitation guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards which are exempted under category (xi) below).

(ii) Facilities classified with the following Standard Industrial Classification (SIC) codes:

- 24 Lumber and wood products (except 2434: wood kitchen cabinets)
- 26 Paper and allied products (except 265 and 267: paper board containers and boxes and miscellaneous converted paper products)
- 28 Chemicals and allied products (except 283: drugs, and 285: paints and allied products)
- 29 Petroleum and coal products
- 311 Leather tanning and finishing
- 32 Stone, clay and glass (except 323: products of purchased glass)
- 33 Primary metal industries
- 3441 Fabricated structural metal
- 373 Ship and boat building and repairing

(iii) Facilities classified with the following SIC codes, including active or inactive mining operations, and oil and gas exploration, production, processing or treatment operations, or transmission facilities that discharge stormwater contaminated by contact with or that has come into contact with any overburden, raw material, intermediate products, finished products, by-products or waste products located on the site of such operations:

- 10 Metal mining, active or inactive mining operations
- 12 Coal mining
- 13 Oil and gas extraction, production, processing, or treatment operations, or transmission facility
- 14 Nonmetallic minerals, except fuels

(iv) Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;

(v) Landfills, land application sites, and open dumps that receive or have received any industrial wastes (waste that is received from any facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA;

(vi) Facilities involved in the recycling of materials, including metal scrap yards, battery reclaimers, salvage yards, and automobile junkyards, limited to those classified with the following SIC codes:

- 5015 Motor vehicle parts, used
- 5093 Scrap and waste materials

(vii) Steam electric power generating facilities, including coal handling sites;

(viii) Transportation facilities classified with the following SIC codes which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified under (i) through (vii) or (ix) through (xi) are associated with industrial activity:

- 40 Railroad transportation
- 41 Local and interurban passenger transit
- 42 Trucking and warehousing (except 4221-25: farm product warehousing and storage, refrigerated warehousing and storage, and general warehousing and storage)
- 43 U.S. Postal Service
- 44 Water Transportation
- 45 Air Transportation
- 5171 Petroleum bulk stations and terminals

(ix) Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with Section 405 of the Federal Clean Water Act.

(x) Construction activity including clearing, grading and excavation activities except those that result in the disturbance of less than five acres of total land area which are not part of a larger common plan of development or sale. Construction activity associated with

landfills is regulated if "significant material" is exposed, or if the landfill still receives industrial solid waste. (This applies assuming that the landfill is not exempt for other reasons.)

(xi) Facilities with the following SIC codes (and which are not otherwise included in categories (ii) through (x)). (Please note that for category xi facilities, that a permit application is required if material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to stormwater):

- 20 Food and kindred products
- 21 Tobacco products
- 22 Textile mill products
- 23 Apparel and similar finished products made from fabrics and similar materials
- 2434 Wood kitchen cabinets
- 25 Furniture and fixtures
- 265 Paperboard containers and boxes
- 267 Miscellaneous converted paper products
- 27 Printing and publishing
- 283 Drugs
- 285 Paints and allied products
- 30 Rubber and miscellaneous plastic products
- 31 Leather and leather products (except 311: Leather tanning and finishing)
- 323 Products of purchased glass
- 34 Fabricated metal products (except 3441: fabricated structural metal)
- 35 Industrial machinery and equipment
- 36 Electronic and other electric equipment
- 37 Transportation equipment (except 373: ship/ boat building and repair)
- 38 Instruments and related products
- 39 Miscellaneous manufacturing industries
- 4221 Farm product warehousing and storage
- 4222 Refrigerated warehousing and storage
- 4225 General warehousing and storage

Definition of Stormwater Discharge Associated with Industrial Activity - NJPDES Rules

Stormwater discharge associated with industrial activity means the discharge to surface water of stormwater from areas of the site related to manufacturing, processing or raw materials storage. For the categories of industries identified in (i) through (x), the term includes, but is not limited to, stormwater discharges from industrial plant yards; material handling sites; refuse sites; sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater. For the categories of industries identified in (xi), the term includes only stormwater discharges from all the areas that are listed above, where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to stormwater.

For the purposes of this definition, material handling activities include: storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as drainage from the excluded areas is not mixed with the stormwater drained from the above described areas.

In addition, this definition includes any discharge to surface water of stormwater that the Department classifies as "stormwater discharge associated with industrial activity" at the request of the permittee, applicant, or the prospective applicant.