

50 N.J.R. 1507(b)

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PUBLIC NOTICES**Reporter**

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Agency

ENVIRONMENTAL PROTECTION > WATER RESOURCE MANAGEMENT > DIVISION OF WATER MONITORING AND STANDARDS

Text

Notice of Solicitation of Water Quality Data and Information to Support Development of the 2020 CWA Section 303(d) List of Water Quality Limited Waters Pursuant to the New Jersey Water Quality Management Planning Rules at N.J.A.C. 7:15-5.2(d)

Public Notice

Take notice that the New Jersey Department of Environmental Protection (Department) is soliciting water quality data and information to be considered in the development of the New Jersey's 303(d) List of Water Quality Limited Waters ("303(d) List") for 2020. The 303(d) Lists are compiled every two years to identify waters of the State that exceed surface water quality standards, do not support applicable designated uses, and require development of total maximum daily loads (TMDLs) pursuant to the Federal Clean Water Act (CWA) at Section 303(d), 33 U.S.C. § 1313(d); the Federal Water Quality Planning and Management Regulations, 40 CFR 130.10; the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-7; and the New Jersey Water Quality Management Planning rules, N.J.A.C. 7:15-5.2 and 5.4. The Department must provide an opportunity for the public to submit water quality data to be considered in the development of the 303(d) List, in accordance with 40 CFR 130.7(b)(5)iii and N.J.A.C. 7:15-5.2(d).

Section 303(d) of the CWA requires states to biennially prepare and submit to the USEPA a list of all waters of the State that currently do not meet, or are not expected to meet, applicable surface water quality standards after the implementation of technology-based controls. The Department reports this information in the New Jersey 303(d) List. The 303(d) List includes a priority ranking for scheduling TMDLs with high priority assigned to those TMDLs expected to be completed in the next two years. The 303(d) List is developed in accordance with the Federal Water Quality Planning and Management Regulations, 40 CFR 130.10(b) and (d), and the New Jersey Water Quality Management [page=1508] Planning rules, N.J.A.C. 7:15-5.2, and then submitted to the USEPA for approval as a component of the New Jersey Integrated Water Quality Assessment Report (Integrated Report) prepared in accordance with CWA Section 305(b). Once approved, the final 303(d) List is adopted by the Department under the New Jersey Water Quality Management Plan rules at N.J.A.C. 7:15-5.4.

In the past, the Department has published a notice in the New Jersey Register announcing the reporting period, data collection deadline, and data submittal deadline for each 303(d) List at some time prior to the development of

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each 303(d) List. The Department will continue to provide notice regarding the biennial development of the 303(d) List and opportunities to submit data and information; however, to provide more advance notice to data collectors and to increase efficiencies in compiling and assessing data for the biennial 303(d) Lists, the Department has developed a schedule of data collection and data submittal deadlines for the next six 303(d) Lists. The following deadlines and other data requirements will apply to the next six 303(d) Lists, that is, for all 303(d) Lists developed between 2020 and 2030.

These 303(d) Lists will be developed using all appropriate and readily available data. "Readily available data" means data that meets all applicable data quality requirements (summarized below) that is publicly available, and that is uploaded into one of the data repositories identified below in accordance with the data submittal deadlines shown below:

Data Collection and Submittal Deadlines

303(d) List	List Submittal Deadline	Deadline for Data Collection	Deadline for Data Upload/Submittal
2020	4/1/2020	6/30/18	9/30/18
2022	4/1/2022	5/30/20	8/31/20
2024	4/1/2024	5/30/22	8/31/22
2026	4/1/2026	5/30/24	8/31/24
2028	4/1/2028	5/30/26	8/31/26
2030	4/1/2030	5/30/28	8/31/28

Data Quality Requirements

The following data requirements must be met for any data to be considered "readily available" for use by the Department in developing the 303(d) List:

-- Accurate locational data must be provided to ensure comparison to appropriate surface water quality standards (SWQS) and confirming that sampling stations are located outside of regulatory mixing zones.

-- Data collection activities must comply with and be accompanied by an approved Quality Assurance Project Plan (QAPP). QAPPs describe the procedures used to collect and analyze samples, along with the procedures used to review and verify the results to assure high quality data. QAPPs must be approved by the Department, the Delaware River Basin Commission (DRBC), the USEPA, or the USGS prior to data collection. Information about QAPPs is available on the Department's website at http://www.state.nj.us/dep/wms/bears/cwm_qapps.htm along with links to other resources. Entities that collect data to be considered for the 2018 303(d) List are also responsible for data compilation, conducting a detailed quality assurance review of the data prior to submission, and addressing any questions that arise regarding the data set.

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-- The sampling protocol for data used in developing the 2020 303(d) List must also comply with the Department's Field Sampling Procedures Manual, which is available on the Department's website at <http://www.state.nj.us/dep/srp/guidance/fspm/>, or other equivalent field procedures, as determined by the Department's Office of Quality Assurance. The Department's Field Sampling Procedures Manual includes approved procedures for sample collection, field quality assurance, sample holding times, and other data considerations. Samples must be analyzed at a laboratory certified by the Department's Office of Quality Assurance or a Federal laboratory (for example, the USGS National Water Quality Laboratory in Denver) using analytical methods or their equivalents, as certified by the Department pursuant to N.J.A.C. 7:18, the USEPA, or the USGS.

-- All data submitters must ensure that an electronic copy of the approved QAPP, including the completed signature page (scanned), has been uploaded into one of the data repositories identified below along with the corresponding data.

Data Repositories

Data must be uploaded into one of the following repositories. Data should be uploaded as soon as it is validated to be considered for the 303(d) List or other water quality assessments conducted by the Department that most closely corresponds with the time period of data collection.

-- The Department's Water Quality Data Exchange (WQDE) at <http://www.nj.gov/dep/wms/wqde>;

-- The USEPA STORET/WQX data repository at <http://www.epa.gov/storet/> (see guidance at http://www.epa.gov/storet/wqx/wqxweb_downloads.html);

-- The United States Geological Survey (USGS) National Water Information System (NWIS) at <http://waterdata.usgs.gov/nwis>;

-- USEPA's central data exchange (CDX) at www.epa.gov/cdx.

Certain types of data, such as continuous data, are not supported by the above data repositories in the format necessary for assessment purposes. Upon approval by the Department, such data may be submitted using an alternate format. The Department will store such data on its local server and will make it available to the USEPA and others upon request.

For additional information or assistance regarding data submittal, including guidance on submittal of continuous datasets, data generators should contact Jack Pflaumer, Research Scientist 1, at the Bureau of Environmental Analysis, Restoration and Standards at (609) 633-1441 or at Jack.Pflaumer@dep.nj.gov.