

Construction General Permit RFA

Stormwater Construction Permitting Program

IMPORTANT NOTICE

Effective October 1, 2009 Stormwater Construction Permit (5G3-NJ0088323) Requests for Authorization (RFA) applications will no longer be accepted and processed along with your Soil Erosion and Sediment Control Plan application* by the local Soil Conservation District. Permittees are required to submit their applications and payment electronically online utilizing the NJDEP's Stormwater Construction Activity E-Permitting System, or via paper application to the NJDEP's Bureau of Permits Management. Information and instructions for completing and submitting RFAs using either process may be accessed through the NJDEP web page at <http://www.nj.gov/dep/dwq/hot.htm>.

This change does not affect the Soil Erosion and Sediment Control Plan approval process.* Soil Erosion and Sediment Control Plan applications must still be submitted to the local district offices for certification. However, for those projects requiring a NJPDES Stormwater Construction Activity permit, the district shall issue a SCD Certification Code to the permittee verifying that the 251 Plan has been approved. This code is necessary to complete either the online E-Permitting or the paper RFA process.

Please contact the Bureau of Nonpoint Pollution Control (BNPC) with any questions or concerns at 609-633-7021 or by email at daniel.kuti@dep.state.nj.us.

*Information completed on the RFA E-Permit application must be consistent with the information submitted on the Soil Erosion and Sediment Control Application.

The Statewide Industrial Stormwater Permitting Program for construction activities, from the NJ Department of Environmental Protection (NJDEP), represents the next step to improving water quality of our lakes, rivers and streams, in conjunction with the existing Soil Erosion and Sediment Control Program under Chapter 251.

To implement this program the DEP adopted amendments to the NJ Pollutant Discharge Elimination System (NJPDES) rules, including a Construction Activity Stormwater General Permit (NJG0088323). This program is administered by DEP's Bureau of Nonpoint Pollution Control, the NJ Department of Agriculture, and the State Soil Conservation Committee through the 15 local Soil Conservation Districts (SCD) located throughout the State.

Does This Affect You?

A. The Construction General Permit authorization applies to discharges of stormwater from certain construction activities.

1. Construction activities including clearing, grading and excavating that disturb 1 acre or more, or that disturb less than one acre but are part of a larger plan of development or sale;
2. Single family home construction that disturbs one or more acres and that may be exempt from Chapter 251 requirements.
3. Construction of a sanitary or hazardous waste landfill before it receives wastes, or construction that does not disrupt a properly closed landfill

How to Apply:

Permittees are required to submit their applications and payment electronically online utilizing the NJDEP's Stormwater Construction Activity E-Permitting System, or via paper application to the NJDEP's Bureau of Permits Management. Information and instructions for completing and submitting RFAs using either process may be accessed through the NJDEP web page at <http://www.nj.gov/dep/dwq/hot.htm>.

Exempt Municipalities: For Stormwater Construction Permits in municipalities with their own erosion control program, applicants must contact the District upon certification of their soil erosion and sediment control plan. The applicant must provide verification of municipal approval, and the District will then provide a SCD Certification Code which is required to complete the NJDEP E-Permit application.

What are the requirements of the Construction General Permit?

The requirements of the Construction General Permit include the development and certification of a Stormwater Pollution Prevention Plan (SPPP), routine inspections, annual reports and certifications, and reports of non-compliance. The SPPP consists of a soil erosion and sediment control component and a construction site waste control component. The soil erosion and sediment control component will be governed by a soil erosion and sediment control plan or equivalent local requirements.

The construction site waste control component of the SPPP consists of the requirements for material management to prevent or reduce waste and waste handling. Construction site wastes include: waste building material and rubble, chemical waste, litter, sanitary sewage and septage, contaminated soils and concrete truck washout. Waste handling also includes spill and discharge control and reporting.

What are the deadlines?

You must submit a RFA through the NJDEP E-Permitting Program at least 30 days prior to land disturbance.

Failure to obtain a permit?

Failure to obtain a stormwater discharge permit is a violation of the Water Pollution Control Act and will be subject to enforcement action and penalties.

What if I violate my Construction General Permit?

Compliance with this permit requires compliance with the certified Soil Erosion and Sediment Control Plan. Where facilities fail to comply they may be referred to the NJDEP for enforcement under the Water Pollution Control Act. However, prior to enforcement actions, site inspections will be conducted by the Freehold SCD in cooperation with NJDEP.

For additional information contact NJDEP Bureau of Nonpoint Pollution Control at (609)633-7021 or email daniel.kuti@dep.state.nj.us or click on <http://www.state.nj.us/dep/stormwater/> or <http://www.nj.gov/dep/dwq/hot.htm> .