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*Jan 4/15*



State of New Jersey  
Department of Environmental Protection and Energy  
Environmental Regulation  
Office of Land and Water Planning  
CN 423  
Trenton, New Jersey 08625

Scott A. Weiner  
Commissioner

Martin A. Bierbaum  
Administrator

**APR 09 1993**

Dear Potential Permittee:

The Federal Clean Water Act and the rules (40 CFR Part 122.26) adopted by the U.S. Environmental Protection Agency on November 16, 1990, require permits for stormwater discharges associated with industrial activity to surface water. In response to this mandate, the Office of Land and Water Planning (OLWP), Bureau of Stormwater permitting is administering a new industrial stormwater permitting program. The Bureau hopes to work cooperatively with permittees to ensure that surface waters are protected from industrial stormwater runoff and at the same time avoiding overregulation.

You are receiving this letter because you may be required to submit either an individual permit application or a request for authorization under a general permit to the Department. Enclosed is a definition of "Stormwater Discharge Associated with Industrial Activity" from the EPA rules. This definition identifies eleven categories of industrial facilities that are regulated. The fifth category pertains specifically to **landfills, land application sites, and open dumps**, as follows:

(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.

Any landfill (active, inactive, and closed) including sanitary landfills and hazardous waste landfills must apply for a permit if it receives, or has received **wastes from the facilities identified under 122.26(b)(14)(I)-(XI)** (refer to the enclosed material). However, if an impervious surface such as parking lot or shopping center now covers the closed landfill, then the subject landfill including municipal waste collection sites does not constitute an industrial activity, and does not require stormwater permit at this time. The closed (including capped) landfills are eligible for the general permit.

This program represents a significant departure from traditional permitting programs. The program is designed to maximize

compliance through cooperation and the use of economic incentives, as well as an innovative permit structure including general permits and stormwater pollution prevention plans. It is also intended to provide business with an opportunity to achieve environmental protection in a positive and cost-effective fashion. To meet this goal, we look forward to develop a storm water permit program that is "environmentally sound and acceptable to New Jersey's industry".

In order to implement this program, the Department adopted, on October 1, 1992, amendments to the New Jersey Pollutant Discharge Elimination System (NJPDES) rules including a NJPDES Discharge to Surface Water (DSW) General Industrial Stormwater Permit (NJ0088315). The rules became effective on November 2, 1992.

Enclosed you will find a copy of the general permit, self-screening form, and supplemental information, and a copy of the Request for Authorization (RFA) form with supporting information. You should use the Self-screening Form and the associated information to determine what action, if any, you need to take at this time.

If your discharge of stormwater associated with industrial activity requires a permit and authorization under the general permit is appropriate, complete and submit the RFA as directed. If the discharge requires a permit but the facility is not eligible or suitable for a general permit, you must complete and submit an application for an individual permit. If you must apply for an individual permit, then you must submit a CP#1 and WQM-001, and EPA Form 2F EXCLUSIVE OF SECTION VII, DISCHARGE INFORMATION. The Department will provide you with sampling requirements at a later date. If you choose to perform or have performed sampling and analysis as specified in Section VII, this shall be provided in the application. These forms may be obtained from the Department at:

Bureau of Stormwater Permitting  
Office of Land and Water Planning  
Department of Environmental Protection and Energy  
CN423  
Trenton, NJ 08625-0423

#### IMPORTANT DEADLINES

For facilities that did not participate in a "group application" to EPA, the Department's deadlines for seeking a permit for existing discharges of industrial stormwater are as follows:

Submitting the RFA for the General Industrial Stormwater Permit (NJ0088315) is May 1, 1993.

Submitting an individual permit application was April 1, 1993.

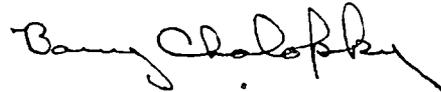
If you were required to submit an individual application and have not completed by April 1, 1993 deadline, please submit as soon as possible.

If your facility was approved by the EPA as a member of a group application (or if EPA has not approved or rejected the facility by April 1, 1993), then the deadline for submitting an RFA for a general permit or an individual permit application is October 1, 1993.

If stormwater regulation is applicable to your facility, you are advised to take an appropriate action in order to avoid enforcement action.

We look forward to working with you to help protect the environment in a cooperative partnership. If you have any questions, please contact us at 609-633-7026.

Sincerely,



Barry Chalofsky, P.P.  
Manager  
Bureau of Stormwater Permitting

Enclosures