

7. If the Department finds a project or activity to be inconsistent, then the Department shall notify the applicant in writing of the reasons for this finding. The applicant may request an informal discussion of the conflict under N.J.A.C. 7:15-3.1(g).

Administrative Correction to (b): Changed pollutants to pollution.

See: 22 N.J.R. 2001(b).

Amended by R.1993, d.59, effective February 1, 1993.

See: 24 N.J.R. 344(b), 25 N.J.R. 547(a).

In (a)1, deleted reference to DTW permittees under N.J.A.C. 7:15-4.1; in (c)6ii and (c)7, corrected subsection references.

7:15-3.3 (Reserved)

7:15-3.4 Water quality management plan amendment procedures

(a) The Department and the designated planning agencies shall propose amendments to the Statewide and areawide WQM Plans whenever such amendments are necessary or desirable. Amendments may be proposed for various reasons, such as to implement or comply with applicable State or Federal law; respond to new circumstances; improve the economic, social, or environmental impact of WQM plans; or resolve issues disclosed through the consistency review procedure.

(b) Procedures for amendment of the Statewide WQM Plan are as follows:

1. Water quality related provisions in present and future rules adopted by the Department shall be considered to be part of the Statewide WQM Plan. Such provisions may not be adopted, amended, or repealed through the WQM plan amendment process under (b)6 below.

2. Priority systems, intended use plans and project priority lists for wastewater facilities that are developed by the Department and accepted by the United States Environmental Protection Agency (USEPA) pursuant to USEPA regulations, or that otherwise are developed by the Department under N.J.A.C. 7:22, shall be considered to be part of the Statewide WQM Plan. Such priority systems and project priority lists shall be adopted or revised in accordance with USEPA regulations and N.J.A.C. 7:22, as appropriate, and shall not be adopted or revised through the WQM plan amendment process under (b)6 below.

3. Statewide Sludge Management Plans, District Sludge Management Plans and sludge management rules that are promulgated or approved by the Department pursuant to N.J.S.A. 13:1E-1 et seq. shall be considered to be part of the Statewide WQM Plan. Such plans and rules shall be promulgated, revised, updated or approved in accordance with N.J.S.A. 13:1E-1 et seq., and shall not be promulgated, revised, updated, or approved through the WQM plan amendment process under (b)6 below.

4. Lists of water quality limited segments, lists of segments where TMDLs will be developed, and project priority lists for TMDL development which are developed by the Department under N.J.A.C. 7:15-6 shall be adopted as amendments to the Statewide WQM Plan.

TMDLs developed in accordance with N.J.A.C. 7:15-7 shall be adopted as amendments to the relevant Areawide WQM Plan(s). However, such lists, and TMDLs shall be adopted or revised in accordance with N.J.A.C. 7:15-6 or 7:15-7, as appropriate, and shall not be adopted or revised through the WQM plan amendment process under (b)6 below. The Department may also publish a draft amendment as an Interested Party Review document or as a pre-proposal prior to formal proposal of the amendment.

5. A regional stormwater management plan prepared in accordance with N.J.A.C. 7:8-3 shall be submitted only by a lead planning agency as a proposed amendment to the applicable areawide WQM plan. In addition, the following changes to an adopted regional stormwater management plan shall be processed as amendments to applicable areawide WQM Plans under this section:

i. The addition, deletion or modification to any of the drainage area-specific water quality, groundwater recharge or water quantity objectives identified under N.J.A.C. 7:8-3.5;

ii. The addition, deletion or modification to any drainage area-specific design or performance standard developed under N.J.A.C. 7:8-3.6;

iii. Any modification to a regional stormwater management plan that the Department or designated planning agency determines is likely to have a significant environmental, social, or economic impact; or

iv. Any modification that the applicant requests be processed as an amendment.

6. Components of the Statewide WQM Plan other than (b)1 through 5 above may be amended by using the procedure specified in (g) below, except that the Commissioner shall render the final decision identified in (g)9 below.

(c) Areawide WQM plans for designated areas may be amended by designated planning agencies pursuant to their approved plan amendment procedures. The Department may amend the areawide WQM plan for any non-designated area, pursuant to the procedures under (g) below. Amendments or provisions thereof for any areawide WQM plan whose specific purpose or effect is to address projects or activities covered by (i) and (j) below, or that are either proposed, constructed, operated or conducted by the State or Federal government, or that are regulated by the Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.), shall be processed only by the Department, regardless of whether the areawide WQM Plan is for a designated area or a non-designated area. By the mutual consent of the Department and the designated planning agency, the Department may also process all other amendments to an areawide WQM plan for a designated area.

(d) Plan amendment procedures developed by the designated planning agencies shall be consistent with this section and approved by the Department. Such procedures shall include, but need not be limited to, provisions that:

1. Allow any interested person to submit to the designated planning agency written, documented petitions to amend the areawide WQM Plan;

2. Provide for review by the Department of all proposed amendments prior to public notice;

3. Allow the Department to identify governmental entities, sewerage agencies, and BRC-regulated sewer or water utilities that shall be requested to issue written statements of consent for proposed amendments, such parties being in addition to any governmental entities, sewerage agencies, and BRC-regulated sewer or water utilities identified by the designated planning agency;

4. Provide for publication of public notice of proposed amendments in the New Jersey Register and in a newspaper of general circulation in the designated area; and

5. Provide for adequate public comment periods and opportunities for public hearings before the designated planning agency decides whether to approve an amendment.

(e) Every designated planning agency shall, by December 1, 1989, submit for Department approval plan amendment procedures that have been revised for consistency with this section. Such procedures shall identify the newspaper in which public notices of plan amendments shall be published. All plan amendment procedures that the Department approved before October 2, 1989, but that are not revised and approved by the Department as being consistent with this section, shall become void on March 31, 1990. If a plan amendment procedure becomes void in this manner, the Department shall immediately provide to the designated planning agency a plan amendment procedure that is consistent with this section, and that shall be used by the designated planning agency until a plan amendment procedure is submitted by the designated planning agency and approved by the Department under this subsection.

(f) Within 15 days of approving an amendment, a designated planning agency shall submit to the ORP a copy of the amendment, together with background information for that amendment. WQM plan amendments approved by designated planning agencies are valid only upon the subsequent adoption of such amendments by the Governor or his designee.

(g) Except as provided in (h) below, the Department procedure for amendment of areawide WQM plans is as follows:

1. For amendments which are the Department's responsibility under (c) above, any interested person may petition the Department to amend the areawide WQM plan, or the Department may propose to amend the areawide WQM plan on the Department's own initiative. Requests for amendments shall be submitted in writing to the Office of Regulatory Policy, Department of Environmental Protection, PO Box 029, Trenton, New Jersey 08625-0029.

2. Requests for amendments shall include, but need not be limited to, a detailed description of the proposed amendment, including documentation substantiating the need for the amendment and other documentation as determined by the Department. Within 90 days of receiving such requests, the Department shall review such requests and shall either:

i. Disapprove the amendment request, and return it to the applicant; or

ii. Return the amendment request to the applicant for additional information or other necessary changes. If the applicant then submits a revised amendment request, the Department shall, within 90 days of receiving the revised amendment request, review such request and render a decision under (g)2i above, this subparagraph, or (g)2iii below; or

iii. Decide to proceed further with the amendment request.

3. The Department shall notify the applicant and the applicable designated planning agency, if any, in writing of its decision under (g)2 above. If the Department's decision is to proceed further with the amendment request under (g)2iii above, then this notification shall include the public notice that shall be given for the proposed amendment. If the proposed amendment is a regional stormwater management plan, the Department shall also notify the Department of Community Affairs and the Department of Agriculture. The applicant shall request written statements of consent under (g)4 below, and shall give public notice by publication in a newspaper of general circulation at the applicant's expense. The Department shall maintain a list identifying the newspaper that shall be used for this purpose in each planning area. The public notice shall also be published in the New Jersey Register. In cases where such Department decisions include a requirement for a non-adversarial public hearing, the public notice shall provide at least 30 days notice of the hearing.

4. Requirements concerning written statements of consent for plan amendments are as follows:

i. As part of each notification of a decision under (g)2iii above, the Department may identify a list of governmental entities, sewerage agencies, and BRC-regulated sewer or water utilities that may be affected by, or otherwise have a substantial interest in, approval of the proposed amendment, and that shall be asked to issue written statements of consent for the proposed amendment. Within 15 days of receiving such notification, the applicant shall submit by certified mail (return receipt requested) a copy of the proposed amendment to these parties, with a request that they issue written statements of consent for the proposed amendment within 60 days of their receipt of the request.

ii. A written statement of consent shall include a statement that the party concurs with, or does not object to, the proposed amendment. Tentative, preliminary, or conditional statements shall not be considered to be statements of consent. A statement of consent by a governmental unit shall be in the form of a resolution by that unit's governing body. If the party objects in writing to the proposed amendment, the party shall state all reasons for objection in writing.

iii. The applicant shall promptly forward to the ORP a copy of all written statements of consent and other written comments received, and a copy of all requests for consent (with return receipts) sent to parties that did not provide written statements of consent or other written comments within 60 days of their receipt of such requests.

iv. Where a party identified under (g)4i above denies a request for a written statement of consent or does not issue a written statement of consent, the reasons therefor, if known on the basis of reasonably reliable information, shall be considered in making decisions under (g)8 and 9 below.

5. When the Department proposes to amend the area-wide plan on its own initiative, the Department shall give public notice by publication in a newspaper of general circulation in the planning area, shall send copies of the public notice to the applicable designated planning agency, if any, and may hold a public hearing or request written statements of consent as if the Department were an applicant under (g)3 and 4 above. The public notice shall also be published in the New Jersey Register.

6. Interested persons, including, but not limited to, those from whom written statements of consent are requested under (g)4i or 5 above, may submit written comments to the ORP within 30 days of the date of the public notice. Interested persons may request that the public comment period be extended up to 30 additional days, and such extensions may be granted to the extent they appear necessary. Requests for such extensions shall be submitted in writing to the ORP within 30 days of the date of the public notice.

7. Interested persons may also request that the Department hold a non-adversarial public hearing; such requests shall be submitted in writing to the ORP within 30 days of the date of the public notice. If there is significant interest, as determined by the Department, in holding a public hearing, then a public hearing will be held. A public notice providing at least 30 days notice of the hearing will be published in the New Jersey Register and in two newspapers of general circulation, and will be mailed to the applicable designated planning agency, if any, and to each party who was requested to issue a written statement of consent for the amendment. The public comment period will be extended until 15 days after the hearing. Except when the Department proposes to amend areawide WQM plans on its own initiative, the

applicant shall, at the applicant's expense, mail the public notice, provide for publication of the public notice in two newspapers, secure a court stenographer, and provide three copies of a verbatim transcript of the hearing to the ORP.

8. If any data, information or arguments submitted during the public comment period or in response to a request for written statement of consent appear to raise substantial new questions concerning a proposed plan amendment, the Department may:

i. Reopen or extend the public comment period for no more than 30 additional days to give interested persons an opportunity to comment on the information or arguments submitted;

ii. Disapprove the proposed amendment and, where applicable, return it to the applicant;

iii. Return the amendment request to the applicant for necessary, substantial changes. If the applicant then submits a revised amendment request, the Department shall review such request in the same manner as a revised amendment request submitted under (g)2ii above; or

iv. Prepare a new proposed plan amendment, appropriately modified, for proposal under this section.

9. Except where the Department has already disapproved or returned the proposed amendment under (g)8 above, the Governor or his designee shall render a final decision on the amendment. The Governor or his designee shall either:

i. Adopt the amendment as proposed;

ii. Adopt the proposed amendment with minor changes that do not effectively destroy the value of the public notice; or

iii. Disapprove the proposed amendment and, where applicable, return it to the applicant.

10. The Department shall provide written notification of the decision of the Governor or his designee to the applicant where applicable. Notice of the final decision shall also be published in the New Jersey Register.

11. The Department shall retain the administrative record for WQM Plan amendments for the following periods of time:

i. For each amendment adopted under (g)9 above, a period of not less than three years from the effective date of the amendment.

ii. For each proposed amendment disapproved or returned under (g)2, 8, or 9 above, a period of not less than one year from the date of disapproval or return.

(h) For amendments identified in (h)3 below, the Department shall modify the plan amendment procedure specified in (g) above in the manner set forth in (h)1 and 2 below.

Except as provided in (h)1 and 2 below, the entire procedure specified in (g) above remains applicable to such amendments.

1. In lieu of the consent requirements in (g)3 and 4 above, the Department shall identify a list of potentially affected or interested parties that shall receive notice of the proposed amendment, but that need not be asked to consent to the proposed amendment. Such parties shall include the applicable designated planning agency, if any. Within five days of receiving such a list, the applicant shall submit by certified mail (return receipt requested) to these parties a copy of the proposed amendment and a copy of the public notice that will be published pursuant to (g)3 above. The applicant shall promptly forward to the ORP a copy of all letters (with return receipts) sent to these parties under this paragraph. For sewers and pumping stations identified in (h)3ii below, written statements of consent are still required from owners or operators of affected DTW.

2. Instead of the 30 day period specified for these actions in (g)6 and 7 above, interested persons may take the following actions within 10 working days of the date of the public notice:

i. Submit written comments on the proposed amendment to the ORP;

ii. Submit written requests to the ORP that the Department extend the public comment period up to 30 additional days; or

iii. Submit written requests to the ORP that the Department hold a non-adversarial public hearing.

3. The modifications set forth in (h)1 and 2 above shall be used only for amendments whose sole purpose is to address the following projects:

i. Schools, health care facilities, or correctional facilities, if such schools or facilities are publicly owned or operated; or

ii. New sewers or pumping stations to serve a project or activity that is partially within a future sewer service area depicted in an areawide WQM plan, if such sewers or pumping stations would convey wastewater from such project or activity to the existing DTW whose sewer service area is depicted in that WQM plan, and if a resolution of consent is received from the owner or operator of that DTW. If a project or activity is partially or entirely within two or more depicted sewer service areas, the new sewers or pumping stations may convey wastewater to one or more such existing DTW, provided that resolutions of consent are received from the owners or operators of the affected DTW in each of the sewer service areas. This subparagraph shall apply only to wastewater service area modifications of less than 10 acres.

iii. Notwithstanding (h)3ii above, the modifications set forth in (h)1 and 2 above shall not be used for sewers or pumping stations whose construction would violate N.J.A.C. 7:14A-12.21, or that would convey wastewater to DTW whose capacity must by statute, rule or other legal requirement be reserved for other projects or activities. The Department may require the applicant to provide proof from the owner or operator of DTW that would receive the conveyed flow that capacity is available for the applicant's project or activity. This paragraph applies whether treatment works approvals are sought for both construction and operation, or for construction only, of sewers or pumping stations.

(i) Effluent limitations, including, but not limited to, water quality based effluent limitations, and schedules of compliance established in accordance with N.J.A.C. 7:15-3.1 as NJPDES permit conditions under N.J.A.C. 7:14A-8.6 shall be considered to be part of the areawide WQM plans. NJPDES permit conditions shall be modified only through the procedures specified in the Department's New Jersey Pollutant Discharge Elimination System rules (N.J.A.C. 7:14A), in accordance with applicable Department rules, and shall not be modified through the WQM plan amendment process under (c) or (g) above. This subsection, however, shall not preclude the adoption of effluent limitations or schedules of compliance in areawide WQM plans under (g) above, prior to the establishment of such effluent limitations or compliance schedules as new or revised NJPDES permit conditions.

(j) (Reserved)

(k) Water quality management planning related documentation in present and future 201 Facilities Plans that are approved by the Department and USEPA after May 31, 1975 shall constitute amendments to areawide WQM plans. This documentation may include, but is not limited to: selected facilities alternative, future design capacity and flows, treatment levels, sewer service areas, septage management areas, sludge and septage management and disposal plans, environmental constraints mapping, identification of management agencies, and grant conditions. Itemized abstracts of the appropriate documentation shall be available at the Division of Water Resources. Water quality management planning related documentation in 201 Facilities Plans completed on or prior to May 31, 1975 may be adopted into areawide WQM plans on a case-by-case basis under (c) or (g) above.

(l) In preparing amendments to areawide WQM plans, the following policies shall be adhered to:

1. Existing regional DTW shall be used where such use is cost-effective, environmentally sound, and feasible from an engineering standpoint. Expansion or upgrading of existing regional DTW is generally preferable to construction of additional DTW that would produce additional direct discharges to surface water at new locations.

2. Where a sewer connection ban is in effect under N.J.A.C. 7:14A-12.21 on a DTW, the sewer service area for that DTW shall not be altered unless such alteration would, even in the absence of the sewer connection ban, be cost-effective, environmentally sound, and feasible from the engineering standpoint.

Public Notice: To designate the City of Asbury Park as the Wastewater Facilities Planning agency.

See: 17 N.J.R. 2690(a).

Public Notice: To eliminate Totowa Borough's West End Sewage Treatment Plant (STP) converting it to a pumping station.

See: 17 N.J.R. 2690(b).

Public Notice: To provide sewer service to the Eastampton Farms subdivision, Eastampton Township, Burlington County and to provide sewer service to the Cedarwood development in Harrison Township, Gloucester County.

See: 17 N.J.R. 2690(c).

Public Notice: The elimination of Totowa Borough's West End Sewage Treatment Plant for the expansion of Evesham Municipal Utility Authority's Sewage Treatment Plant.

See: 17 N.J.R. 2690(e).

Public Notice: Expand plant capacity of the Sussex County Municipal Utilities to 2.5 million gallons per day.

See: 18 N.J.R. 112(b).

Public Notice: Amendment to the Cape May County Water Quality Management Plan which implements the on-site water disposal systems program.

See: 18 N.J.R. 858(b).

Public Notice: Amendment to the Sussex County Water Quality Management Plan to provide for the construction and operation of a new wastewater treatment plant.

See: 18 N.J.R. 1715(a).

Public Notice: Amendment to the Mercer County Water Quality Management Plan entitled "An Amendment Concerning the Application of Wetlands Policy".

See: 18 N.J.R. 1842(b).

Public Notice: The amendment to the Northeast Water Quality Management Plan was adopted.

See: 18 N.J.R. 1964(a).

Public Notice: The amendment providing for the elimination of the existing Butler Bloomingdale Wastewater Treatment Plant was adopted.

See: 18 N.J.R. 1964(b).

Public Notice: The amendment to increase the Passaic Valley Sewage Authority's Treatment Facility's permitted flow has been adopted.

See: 18 N.J.R. 1964(c).

Public Notice: Amendment to the Northeast Water Quality Management Plan has been submitted for approval. This amendment is to allow 1.2 acres of wetlands encroachment for the development of Pension Office Park located in Bernards Township, Somerset County.

See: 18 N.J.R. 1964(d).

Public Notice: Amendment to allow for the expansion of the Maple Shade Water Pollution Control Plant was adopted.

See: 18 N.J.R. 1964(e).

Public Notice: An amendment to allow the filling of 35,300 square feet of wetlands for two road crossings and gravel driveway easements for the proposed Windsor Forest subdivision in Washington Township, Gloucester County has been adopted.

See: 18 N.J.R. 1964(f).

Public Notice: Amendment allowing the expansion of the sewer service area of Warren County to include the Washington Valley Golf course.

See: 18 N.J.R. 1964(g).

Public Notice: To inform the public that an amendment has been proposed for the WQM Plan.

See: 18 N.J.R. 1965(a).

Public Notice: To expand the Township of Lower Municipal Authority's sewer service area.

See: 18 N.J.R. 2138(a).

Public Notice: Allow for the expansion of the Cooper River Interceptor into Berlin Township and Berlin Borough.

See: 18 N.J.R. 2138(b).

Public Notice: To expand the Verona Sewage Treatment Plant's sewer service area to accept a small portion of Caldwell and Essex Fells.

See: 19 N.J.R. 466(a).

Public Notice: To provide for a Wastewater Management Plan identifying the utilization of individual subsurface systems for wastewater treatment within Upper Township.

See: 19 N.J.R. 465(e).

Public Notice: To allow the expansion of its existing advanced wastewater treatment facility located in Bedminster Township, Somerset County.

See: 19 N.J.R. 569(c).

Public Notice: To expand the sewer service area in Galloway Township to include Block 891, Lots 3.01, 3.02, 4, 5, 6 and 9, excluding environmentally sensitive areas from the proposed Hampton Inn development.

See: 19 N.J.R. 569(d).

Public Notice: To incorporate West Milford's Wastewater Management Plan (1986) into the WQM Plan.

See: 19 N.J.R. 888(b).

Public Notice: Permit the construction of a detention basin outlet structure in wetlands for the Washington Valley Golf Course development known as Fairway Estates-Fairway Mews in Washington Township, Warren County.

See: 19 N.J.R. 888(e).

Public Notice: Allow for the expansion of a sewer service area in Burlington Township to include the proposed Neck Road development, Block 142, Lot 3.06. The project site will be served by an existing sewer main.

See: 19 N.J.R. 888(d).

Public Notice: Provides for a Wastewater Management Plan for West Windsor Township.

See: 19 N.J.R. 1109(c).

Public Notice: Addresses the expansion of the existing Chatham Glen Sewage Treatment Plant from .12 million gallons per day to .155 mgd to provide treatment for additional growth as part of a Mount Laurel settlement.

See: 19 N.J.R. 1109(b).

Public Notice: Addresses the expansion of the Edgewater Sewage Treatment Plant from 3.0 million gallons per day (mgd) to 6.0 mgd to handle the expected growth of the Borough.

See: 19 N.J.R. 1109(a).

Public Notice: Permit abandonment of the Bedens Brook, Bedens Brook Country Club, Sleepy Hollow and Burnt Hill treatment plants.

See: 19 N.J.R. 1109(d).

Public Notice: To include a revised and updated version of Map 4-3, the Tri-County sewer service area map.

See: 19 N.J.R. 1238(a).

Public Notice: To allow the filling of less than one acre of wetlands for two road crossings for the proposed Sturbridge Woods subdivision located in Voorhees Township, Camden County.

See: 19 N.J.R. 1238(b).

Public Notice: To adopt "An Amendment Concerning the Application of Wetlands Policy (Section 4.5.1., Point Source Control: Functional Programs and Agencies)" which would provide for the filling of 4.01 acres of wetlands and a mitigation program at the site of Princeton South at Lawrenceville, Lawrence Township, Mercer County.

See: 19 N.J.R. 1239(a).

Public Notice: To adopt "An Amendment Concerning the Application of Wetlands Policy for Horizon Center, Hamilton Township" which would provide for the filling of wetlands of Edges Brook for the construction of a roadway within the proposed development.

See: 19 N.J.R. 1239(b).

Public Notice: Allow the new treatment plants to serve the Lakeland Parks Shopping Center, the Metropolitan Developers retail stores, Conway Corporation, and Brass Castle stores as well as a new Musconetcong Basin treatment plant and new Pohatcong Creek treatment plant.

See: 19 N.J.R. 1239(c).

Public Notice: To adopt an amendment concerning the Application of Wetlands Policy for Willow Wood, Hamilton Township (Water Quality Management Plan Section 4.5.1).

See: 19 N.J.R. 1457(a).

Public Notice: To expand the sewer service area of the Linpro Utilities Company in Plainsboro Township so that it may serve the Plainsboro-West Windsor Middle School on Grovers Mill Road also located in Plainsboro Township.

See: 19 N.J.R. 1457(b).

Public Notice: Incorporate the New Hanover Wastewater Management Plan into the Tri-County Water Quality Management Plan.

See: 19 N.J.R. 1575(b).

Public Notice: To allow a new industrial treatment facility known as Chatsworth Receiving Station (Ocean Spray Cranberries) located in Woodland Township, Burlington County.

See: 19 N.J.R. 1575(a).

Public Notice: To allow the filling of 2.85 acres of wetlands for a road located in Bernards Township, Somerset County for the Cedars Development.

See: 19 N.J.R. 1574(b).

Public Notice: Amendment to the Northeast Water Quality Management Plan.

See: 20 N.J.R. 1296(d).

Public Notice: Amendment to the Lower Raritan/Middlesex County Water Quality Management Plan.

See: 20 N.J.R. 1297(c).

Public Notice: Amendment to the Tri-County Water Quality Management Plan.

See: 20 N.J.R. 1297(d).

Public Notice: Amendment to the Atlantic County Water Quality Management Plan.

See: 21 N.J.R. 1748(a).

Public Notice: Amendment to Lower Raritan/Middlesex County Water Quality Management Plan.

See: 21 N.J.R. 1748(b).

Public Notice: Amendment to the Monmouth County Water Quality Management Plan.

See: 21 N.J.R. 1748(c).

Public Notice: Amendment to the Ocean County Water Quality Management Plan.

See: 21 N.J.R. 1748(d).

Public Notice: Amendment to the Atlantic County Water Quality Management Plan.

See: 21 N.J.R. 1913(b).

Public Notice: Amendment to the Northeast Water Quality Management Plan.

See: 21 N.J.R. 1913(c).

Public Notice: Amendment to the Upper Raritan Water Quality Management Plan.

See: 21 N.J.R. 1913(d).

Public Notice: Amendment to the Mercer County Water Quality Management Plan.

See: 21 N.J.R. 2132(a).

Public Notice: Amendment to the Northeast Water Quality Management Plan.

See: 21 N.J.R. 2132(b).

Public Notice: Amendment to the Northeast Water Quality Management Plan.

See: 21 N.J.R. 2132(c).

Public Notice: Amendment to the Upper Delaware Water Quality Management Plan.

See: 21 N.J.R. 2133(a).

Public Notice: Amendment to the Upper Raritan Water Quality Management Plan.

See: 21 N.J.R. 2134(a).

Public Notice: Amendment to the Upper Raritan Water Quality Management Plan.

See: 21 N.J.R. 2134(b).

Public Notice: Amendment to the Upper Raritan Water Quality Management Plan.

See: 21 N.J.R. 2134(c).

Public Notice: Amendment to the Tri-County Water Quality Management Plan.

See: 21 N.J.R. 2134(d).

Public Notice: Amendment to Atlantic County Water Quality Management Plan (Egg Harbor Township).

See: 21 N.J.R. 2404(a).

Public Notice: Amendment to Atlantic County Water Quality Management Plan (Somers Point).

See: 21 N.J.R. 2404(b).

Public Notice: Amendment to Tri-County Water Quality Management Plan (Moorestown).

See: 21 N.J.R. 2404(c).

Public Notice: Amendment to Tri-County Water Quality Management Plan (Monroe Township).

See: 21 N.J.R. 2404(d).

Public Notice: Amendment to the Mercer County Water Quality Management Plan (Hopewell Township).

See: 21 N.J.R. 3029(a).

Public Notice: Amendment to the Tri-County Water Quality Management Plan (Winslow Township).

See: 21 N.J.R. 3029(b).

New Rule, R.1989 d.517, effective October 2, 1989.

See: 20 N.J.R. 2198(a), 20 N.J.R. 2478(a), 21 N.J.R. 3099(a).

Public Notice: Amendment to the Ocean County Water Quality Management Plan.

See: 21 N.J.R. 3183(c).

Public Notice: Amendment to the Cape May County Water Quality Management Plan.

See: 21 N.J.R. 3185(a).

Public Notice: Amendment to the Sussex County Water Quality Management Plan.

See: 21 N.J.R. 3319(c).

Public Notice: Public Hearing on amendment to Northeast Water Quality Management Plan.

See: 21 N.J.R. 3319(d).

Public Notice: Amendment to the Atlantic County Water Quality Management Plan.

See: 21 N.J.R. 3557(b).

Public Notice: Amendment to the Atlantic County Water Quality Management Plan.

See: 21 N.J.R. 3558(a).

Public Notice: Amendment to the Upper Delaware Water Quality Management Plan.

See: 21 N.J.R. 3559(a).

Public Notice: Amendment to the Ocean County Water Quality Management Plan.

See: 21 N.J.R. 3559(b).

Public Notice: Amendment to the Tri-County Water Quality Management Plan.

See: 21 N.J.R. 3559(c).

Public Notice: Proposed amendment to the Sussex County Water Quality Management Plan.

See: 22 N.J.R. 66(a).

Public Notice: Proposed amendment to the Ocean County and Tri-County Water Quality Management Plan.

See: 22 N.J.R. 66(b).

Public Notice: Proposed amendment to the Sussex County Water Quality Management Plan.

See: 22 N.J.R. 66(d).

Public Notice: Amendment to the Tri-County Water Quality Management Plan.

See: 22 N.J.R. 563(a).

Public Notice: Amendment to the Tri-County Water Quality Management Plan.

See: 22 N.J.R. 563(b).

Public Notice: Amendment to the Sussex County Water Quality Management Plan.

See: 22 N.J.R. 671(c).

Public Notice: Amendment to the Upper Delaware Water Quality Management Plan.

See: 22 N.J.R. 671(d).

Public Notice: Amendment to the Upper Delaware Water Quality Management Plan.

See: 22 N.J.R. 671(b).

Public Notice: Amendment to the Mercer County Water Quality Management Plan.

See: 22 N.J.R. 862(c).

Public Notice: Amendment to the Monmouth County Water Quality Management Plan.

See: 22 N.J.R. 862(d).

Public Notice: Amendment to the Northeast Water Quality Management Plan.
 See: 22 N.J.R. 863(a).
 Public Notice: Amendment to the Ocean County Water Quality Management Plan.
 See: 22 N.J.R. 863(b).
 Public Notice: Amendment to the Upper Raritan Water Quality Management Plan.
 See: 22 N.J.R. 863(c).
 Public Notice: Amendment to the Atlantic County Water Quality Management Plan.
 See: 22 N.J.R. 1161(a).
 Public Notice: Amendment to the Atlantic County Water Quality Management Plan.
 See: 22 N.J.R. 1161(b).
 Public Notice: Proposed amendment to the Upper Raritan Water Quality Management Plan.
 See: 22 N.J.R. 1161(d).
 Public Notice: Proposed amendment to the Mercer County Water Quality Management Plan.
 See: 22 N.J.R. 1161(c).
 Public Notice: Amendment to the Atlantic County Water Quality Management Plan.
 See: 22 N.J.R. 1275(b).
 Public Notice: Amendment to the Tri-County Water Quality Management Plan for Gloucester County.
 See: 22 N.J.R. 1386(a).
 Public Notice: Amendment to the Tri-County Water Quality Management Plan for Jackson Township.
 See: 22 N.J.R. 1386(b).
 Public Notice: Amendment to the Tri-County Water Quality Management Plan for Mullica River Basin.
 See: 22 N.J.R. 1386(c).
 Public Notice: Amendment to the Tri-County Water Quality Management Plan for Ocean County.
 See: 22 N.J.R. 1386(d).
 Public Notice: Amendment to the Tri-County Water Quality Management Plan for Shamong Township.
 See: 22 N.J.R. 1386(e).
 Public Notice: Amendment to the Tri-County Water Quality Management Plan for Stafford Township.
 See: 22 N.J.R. 1386(f).
 Public Notice: Amendment to the Tri-County Water Quality Management Plan for Warren County.
 See: 22 N.J.R. 1387(a).
 Public Notice: Amendment to the Tri-County Water Management Plan located in Harrison Township.
 See: 22 N.J.R. 1632(e).
 Public Notice: Amendment to the Lower Raritan/Middlesex County Water Quality Management Plan in Plainsboro Township.
 See: 22 N.J.R. 1633(f).
 Public Notice: Amendment to the Lower Raritan/Middlesex County Water Quality Management Plan in South Brunswick Township.
 See: 22 N.J.R. 1633(a).
 Public Notice: Amendment to the Ocean County and Tri-County Water Quality Management Plans in Plumstead Township.
 See: 22 N.J.R. 1633(b).
 Public Notice: Amendment to the Sussex County Water Quality Management Plan in Sussex County.
 See: 22 N.J.R. 1633(c).
 Public Notice: Amendment to the Tri-County Water Quality Management Plan in Evesham Township.
 See: 22 N.J.R. 1785(b).
 Public Notice: Amendment to the Upper Raritan, Northeast and Lower Raritan/Middlesex County Water Quality Management Plans.
 See: 22 N.J.R. 1785(a).
 Public Notice: Adoption of a Wastewater Management Plan for Allamuchy Township.
 See: 22 N.J.R. 1948(c).
 Public Notice: Amendment to the Tri-County Water Quality Management Plan in Bordentown Township.
 See: 22 N.J.R. 1949(a).
 Public Notice: Amendment to the Cape May Water Quality Management Plan.

See: 22 N.J.R. 1949(c).
 Public Notice: Expansion of the Evesham Township (Kings Grant Sewage Treatment Plant) Burlington County.
 See: 22 N.J.R. 1949(b).
 Public Notice: New wastewater treatment plant to serve the High Point Country Club.
 See: 22 N.J.R. 1947(d).
 Public Notice: Amendment for Lafayette Township Wastewater Management Plan.
 See: 22 N.J.R. 1948(a).
 Public Notice: Amendment to transfer an eight acre parcel of land in the City of Vineland to the City of Millville sewer Utility service area.
 See: 22 N.J.R. 1948(d).
 Public Notice: Incorporate Wanaque Borough's Wastewater Management Plan into the Northeast WQM Plan.
 See: 22 N.J.R. 1948(b).
 Public Notice: Pass through Grant Program.
 See: 22 N.J.R. 2041(b).
 Public Notice: Expansion of the Gloucester County Utility Authority's sewer service.
 See: 22 N.J.R. 2042(c).
 Public Notice: Changes to Roxbury Township Wastewater Treatment Plan.
 See: 22 N.J.R. 2042(b).
 Public Notice: Changes to the Upper Delaware Water Quality Management Plan.
 See: 22 N.J.R. 2042(a).
 Public Notice: Changes to Clinton Township Wastewater Management Plan.
 See: 22 N.J.R. 2188(a).
 Public Notice: Updated Montgomery Township Wastewater Management Plan.
 See: 22 N.J.R. 2188(c).
 Public Notice: Adopt a Wastewater Management Plan for Manville Borough, Somerset County.
 See: 22 N.J.R. 2188(b).
 Public Notice: Amendment to the Bedminster Township Sewage Treatment Plan.
 See: 22 N.J.R. 2365(c).
 Public Notice: Amendment to the Cape May County wastewater Treatment Plan.
 See: 22 N.J.R. 2365(b).
 Public Notice: Amendment to the Princeton Township and Princeton Borough wastewater Treatment Plan.
 See: 22 N.J.R. 2365(a).
 Public Notice: Amendment to Mercer County Water Quality Management Plan.
 See: 22 N.J.R. 2606(c).
 Public Notice: Amendment to Moorestown Township Wastewater Management Plan.
 See: 22 N.J.R. 2606(e).
 Public Notice: Amendment to Ocean County Water Quality Management Plan.
 See: 22 N.J.R. 2606(d).
 Public Notice: Amendment to the Northeast Water Quality Management Plan for the Northwest Bergen County.
 See: 22 N.J.R. 3054(c).
 Public Notice: Amendment to expand the sewer service area of the Evesham Municipal Utility Authority.
 See: 22 N.J.R. 3055(a).
 Public Notice: Amendment to the Wastewater Management Plan for Greenwich Township, Warren County.
 See: 22 N.J.R. 3055(b).
 Public Notice: Amendment to the Monmouth County Water Quality Management Plan.
 See: 22 N.J.R. 3054(b).
 Public Notice: Amendment to the Sussex County Water Quality Management Plan.
 See: 22 N.J.R. 3054(d).
 Public Notice: Amendment to the Lower Delaware Water Quality Management Plan in the City of Vineland.
 See: 22 N.J.R. 3165(d).
 Public Notice: Amendment to the Upper Delaware Water Quality Management Plan in Warren County.

See: 22 N.J.R. 3255(b).
 Public Notice: Amendment to the Upper Raritan Water Quality Management Plan in Montgomery Township.
 See: 22 N.J.R. 3255(c).
 Public Notice: Amendment to the Upper Raritan Water Quality Management Plan in Roxbury Township.
 See: 22 N.J.R. 3255(d).
 Public Notice to amend the Atlantic County Water Quality Management Plan.
 See: 22 N.J.R. 3403(d).
 Public Notice to amend the Tri-County Water Quality Management Plan in Burlington Township.
 See: 22 N.J.R. 3405(b).
 Public Notice to amend the Mercer County Water Quality Management Plan.
 See: 22 N.J.R. 3404(b).
 Public Notice to amend the Monmouth County Water Quality Management Plan.
 See: 22 N.J.R. 3404(c).
 Public Notice to amend the Lower Raritan/Middlesex County Water Quality Management Plan.
 See: 22 N.J.R. 3404(a).
 Public Notice to amend the Water Quality Management Plan in Sparta Township.
 See: 22 N.J.R. 3405(a).
 Public Notice to amend the Water Quality Management Plan in Harmony Township, Warren County.
 See: 22 N.J.R. 3405(c).
 Public Notice to amend a Wastewater Management Plan for Warren Township.
 See: 22 N.J.R. 3404(d).
 Public Notice to amend the Water Quality Management Plan in Cape May County.
 See: 22 N.J.R. 3592(a).
 Public Notice to amend the Water Quality Management Plan in Woodstown Borough.
 See: 22 N.J.R. 3592(b).
 Public Notice to amend a Wastewater Management Plan for the Borough of Far Hills.
 See: 22 N.J.R. 3646(d).
 Public Notice to adopt a Wastewater Management Plan for Manville Borough.
 See: 22 N.J.R. 3646(c).
 Public Notice to amend the Wastewater Management Plan for Moorestown Township.
 See: 22 N.J.R. 3646(e).
 Public Notice to adopt a Wastewater Management Plan for Oakland Borough.
 See: 22 N.J.R. 3646(b).
 Public Notice to amend the Statewide Water Quality Management Planning rules in Sussex County.
 See: 22 N.J.R. 3647(a).
 Public Notice to allow for expansion of the Medford Lakes Borough sewer service area.
 See: 22 N.J.R. 3882(c).
 Public Notice to amend the Holmdel Corporate Office Center Water Quality Management Plan.
 See: 22 N.J.R. 3882(b).
 Public Notice to allow for expansion of the Koelle Boulevard Sewage Treatment Plant in Secaucus.
 See: 22 N.J.R. 3882(a).
 Public Notice to expand the Bordentown Township sewer service area.
 See: 23 N.J.R. 128(c).
 Public Notice to amend the Northeast Water Quality Management Plan for Caldwell Borough.
 See: 23 N.J.R. 126(c).
 Public Notice to amend sand and gravel mining operations in Fairfield Township, Cumberland County.
 See: 23 N.J.R. 127(c).
 Public Notice to adopt a Wastewater Management Plan for Tewksbury Township, Hunterdon County.
 See: 23 N.J.R. 128(a).
 Public Notice to propose a seventh and eighth grade school in Manalapan Township.

See: 23 N.J.R. 128(b).
 Public Notice to incorporate the Northwest Bergen County Utilities Authority Wastewater Management Plan.
 See: 23 N.J.R. 126(b).
 Public Notice to amend the Water Quality Management Plan in Sussex County.
 See: 23 N.J.R. 127(b).
 Public Notice to amend the Upper Delaware Water Quality Management Plan in Greenwich Township, Warren County.
 See: 23 N.J.R. 127(a).
 Public Notice to amend the Sussex County Water Quality Management Plan in Jefferson Township.
 See: 23 N.J.R. 222(d).
 Public Notice to amend the Upper Delaware Water Quality Management Plan in Blairstown Township, Warren County.
 See: 23 N.J.R. 222(b).
 Public Notice to amend the Upper Delaware Water Quality Management Plan in Harmony Township, Warren County.
 See: 23 N.J.R. 222(c).
 Public Notice to amend the Lower Raritan/Middlesex County Water Quality Management Plan.
 See: 23 N.J.R. 317(a).
 Public Notice to amend the Lower Raritan/Middlesex County Water Quality Management Plan.
 See: 23 N.J.R. 317(b).
 Public Notice to amend the Upper Delaware Water Quality Management Plan.
 See: 23 N.J.R. 316(c).
 Public Notice to amend the Atlantic County Water Quality Management Plan.
 See: 23 N.J.R. 622(d).
 Public Notice to amend the Cape May County Water Quality Management Plan.
 See: 23 N.J.R. 622(e).
 Public Notice to amend the Water Quality Management Plan in Cumberland County.
 See: 23 N.J.R. 622(f).
 Public Notice to amend the Upper Delaware Water Quality Management Plan.
 See: 23 N.J.R. 623(a).
 Public Notice to amend the Upper Raritan Water Quality Management Plan.
 See: 23 N.J.R. 623(b).
 Public Notice to amend the Burlington County Tri-County Quality Management Plan.
 See: 23 N.J.R. 778(c).
 Public Notice to amend the Caldwell Borough Water Quality Management Plan.
 See: 23 N.J.R. 777(d).
 Public Notice to amend the Morris County Water Quality Management Plan.
 See: 23 N.J.R. 778(d).
 Public Notice to amend the Northeast Water Quality Management Plan.
 See: 23 N.J.R. 777(b).
 Public Notice to amend the Somerset County Water Quality Management Plan.
 See: 23 N.J.R. 778(b).
 Public Notice to amend the Sussex County Water Quality Management Plan.
 See: 23 N.J.R. 778(a).
 Public Notice to amend the Monmouth County Water Quality Management Plan.
 See: 23 N.J.R. 910(c).
 Public Notice to amend the Northeast Water Quality Management Plan in Oakland.
 See: 23 N.J.R. 910(b).
 Public Notice to amend the Tri-County Water Quality Management Plan in Winslow Township.
 See: 23 N.J.R. 909(c).
 Public Notice to amend the Tri-County Water Quality Management Plan in Winslow Township.
 See: 23 N.J.R. 910(a).

Public Notice to amend the water quality management plan in Florham Park.
 See: 23 N.J.R. 1033(b).
 Public Notice to amend the water quality management plan in Manalapan Township.
 See: 23 N.J.R. 1033(d).
 Public Notice to amend the water quality management plan in Morris County.
 See: 23 N.J.R. 1034(a).
 Public Notice to amend the water quality management plan in Pequannock River Basin.
 See: 23 N.J.R. 1033(c).
 Public Notice to amend the water quality management plan in Essex and Union Counties.
 See: 23 N.J.R. 1202(c).
 Public Notice to amend the water quality management plan in Hunterdon County.
 See: 23 N.J.R. 1202(d).
 Public Notice to amend the water quality management plan in Monmouth County.
 See: 23 N.J.R. 1203(d).
 Public Notice to amend the water quality management plan in Monmouth County.
 See: 23 N.J.R. 1204(a).
 Public Notice to amend the water quality management plan in Ocean County.
 See: 23 N.J.R. 1204(b).
 Public Notice to amend the water quality management plan in Phillipsburg.
 See: 23 N.J.R. 1203(b).
 Public Notice to amend the water quality management plan in Upper Raritan.
 See: 23 N.J.R. 1203(c).
 Public Notice to amend the water quality management plan in Warren County.
 See: 23 N.J.R. 1203(a).
 Public Notice: Amend the Mercer County Water Quality Management Plan.
 See: 23 N.J.R. 1466(d).
 Public Notice: Amend the Water Quality Management Plan in Salem County.
 See: 23 N.J.R. 1466(c).
 Public Notice: Amend the Northeast Water Quality Management Plan in Secaucus Town.
 See: 23 N.J.R. 1465(c).
 Public Notice: Amend the Sussex County Water Quality Management Plan.
 See: 23 N.J.R. 1466(a).
 Public Notice: Amend the Upper Delaware Water Quality Management Plan in Warren County.
 See: 23 N.J.R. 1466(b).
 Public Notice: Amend the Raritan/Middlesex Water Quality Management Plan.
 See: 23 N.J.R. 1706(e).
 Public Notice: Amend the Northeast Water Quality Management Plan in Ringwood Borough.
 See: 23 N.J.R. 1706(d).
 Public Notice: Amend the Sussex County Water Quality Management Plan.
 See: 23 N.J.R. 1706(f).
 Public Notice: Amend the Harrison Township, Gloucester County Tri-County Water Quality Management Plan.
 See: 23 N.J.R. 1829(c).
 Public Notice: Amend the Lower Delaware Water Quality Management Plan.
 See: 23 N.J.R. 1829(d).
 Public Notice: Amend the Cape May Water Quality Management Plan.
 See: 23 N.J.R. 1830(a).
 Public Notice: Amend the Lower Raritan/Middlesex County Water Quality Management Plan.
 See: 23 N.J.R. 1968(b).
 Public Notice: Amend the Princeton Township, Mercer County Water Quality Management Plan.
 See: 23 N.J.R. 1968(c).

Public Notice: Amend the Washington Township, Morris County Water Quality Management Plan.
 See: 23 N.J.R. 1968(d).
 Public Notice: Amend the water quality management plan in Holmdel Township.
 See: 23 N.J.R. 2061(d).
 Public Notice: Amend the sewage treatment plan in Waterford Township.
 See: 23 N.J.R. 2062(b).
 Public Notice: Amend the regional sewage treatment plan in West Deptford Township.
 See: 23 N.J.R. 2062(c).
 Public Notice: Amend the Tri-County Water Quality Management Plan in Winslow Township.
 See: 23 N.J.R. 2062(a).
 Public Notice: Allow the expansion of the Bedminster Township wastewater treatment plant.
 See: 23 N.J.R. 2189(c).
 Public Notice: Identify a discharge to groundwater treatment facility in Clinton Township.
 See: 23 N.J.R. 2190(a).
 Public Notice: Amend the Lower Delaware Water Quality Management Plan in Deerfield Township.
 See: 23 N.J.R. 2188(b).
 Public Notice: Amendment to the Tri-County Water Quality Management Plan in Fort Dix and McGuire Air Force Base.
 See: 23 N.J.R. 2189(a).
 Public Notice: Amendment to propose designation the site of Due Process Golf Course, in Colts Neck.
 See: 23 N.J.R. 2187(d).
 Public Notice: Expansion of the Cumberland County to expand its on-site groundwater disposal system in Hopewell Township.
 See: 23 N.J.R. 2188(c).
 Public Notice: Amend the Ocean County Water Quality Management Plan in Jackson Township.
 See: 23 N.J.R. 2188(a).
 Public Notice: Amendment to adopt a wastewater management plan in Readington Township, Borough of Lebanon.
 See: 23 N.J.R. 2190(b).
 Public Notice: Amendment to expand the sewer service area of Phillipsburg.
 See: 23 N.J.R. 2189(b).
 Public Notice: Amend the Upper Raritan Water Quality Management Plan in Tewksbury Township.
 See: 23 N.J.R. 2189(d).
 Public Notice: Amendment to develop a new on-site groundwater disposal system in West Milford Township.
 See: 23 N.J.R. 2190(c).
 Public Notice: Amend the Cape May County Water Quality Management Plan.
 See: 23 N.J.R. 2428(a).
 Public Notice: Amend the Essex and Union Counties Northeast water quality management plan.
 See: 23 N.J.R. 2429(b).
 Public Notice: Amend the Frelinghuysen Township, Warren County, Upper Delaware water quality management plan.
 See: 23 N.J.R. 2429(d).
 Public Notice: Amend the Haleyville Elementary School, Lower Delaware water quality management plan.
 See: 23 N.J.R. 2429(e).
 Public Notice: Amend the Harrison Township, Tri-County water quality management plan.
 See: 23 N.J.R. 2430(a).
 Public Notice: Amend the Egg Harbor Township, Ocean County water quality management plan.
 See: 23 N.J.R. 2428(d).
 Public Notice: Amend the Mansfield Township, Tri-County water quality management plan.
 See: 23 N.J.R. 2430(c).
 Public Notice: Amend the Monmouth County water quality management plan.
 See: 23 N.J.R. 2428(e).
 Public Notice: Amend the Mount Holly Sewage Authority, Tri-County water quality management plan.

See: 23 N.J.R. 2430(b).
 Public Notice: Amend the Pequannock River Basin, Northeast water quality management plan.
 See: 23 N.J.R. 2429(a).
 Public Notice: Amend the Raritan Township, Upper Raritan water quality management plan.
 See: 23 N.J.R. 2529(c).
 Public Notice: Amend the Mount Olive Township, Upper Raritan water quality management plan.
 See: 23 N.J.R. 2545(b).
 Public Notice: Amend the Ocean Township, Ocean County water quality management plan.
 See: 23 N.J.R. 2545(d).
 Public Notice: Amend the Upper Raritan and Upper Delaware water quality management plan.
 See: 23 N.J.R. 2545(c).
 Public Notice: New on-site groundwater disposal system in Sparta Township, Sussex County.
 See: 23 N.J.R. 2784(d).
 Public Notice: New on-site groundwater disposal system in Randolph Township, Morris County.
 See: 23 N.J.R. 2784(c).
 Public Notice: To amend the wastewater management plan for Washington Township, Mercer County.
 See: 23 N.J.R. 2784(b).
 Public Notice: To amend the Hardyston Township wastewater management plan in Sussex County.
 See: 23 N.J.R. 2882(b).
 Public Notice: Amend the Mansfield Township Wastewater Management Plan.
 See: 23 N.J.R. 3180(a).
 Public Notice: To adopt a wastewater management plan for the Pequannock, Lincoln Park and Fairfield sewerage authority.
 See: 23 N.J.R. 3179(c).
 Public Notice: Amend the tri-county water quality management plan for Fort Dix and McGuire Air Force Base.
 See: 23 N.J.R. 3387(d).
 Public Notice: Amend the Upper Raritan water quality management plan in Hillsboro Township.
 See: 23 N.J.R. 3387(a).
 Public Notice: Amend the Upper Delaware and Upper Raritan water quality management plans in West Amwell Township, Hunterdon County.
 See: 23 N.J.R. 3387(b).
 Public Notice: Amend the Mercer County water quality management plan in Borough of Hopewell, Mercer County.
 See: 23 N.J.R. 3386(d).
 Public Notice: Amend the Mercer County water quality management plan in the Borough of Pennington, Mercer County.
 See: 23 N.J.R. 3386(c).
 Public Notice: Amend the Ocean County water quality management plan in Stafford Township.
 See: 23 N.J.R. 3387(e).
 Public Notice: Amend the Sussex County water quality management plan in Sussex County.
 See: 23 N.J.R. 3387(c).
 Public Notice: Amend the Atlantic County water quality management plan in Mullica Township, Atlantic County.
 See: 23 N.J.R. 3535(b).
 Public Notice: Amend the Northeast water quality management plan in West Milford Township, Passaic County.
 See: 23 N.J.R. 3535(c).
 Public Notice: Amend the Lower Delaware water quality management plan in Cumberland County.
 See: 23 N.J.R. 3658(c).
 Public Notice: Amend the Upper Raritan water quality management plan in Readington Township.
 See: 23 N.J.R. 3658(b).
 Public Notice: Amend the Tri-County water quality management plan in Elk Township, Gloucester County.
 See: 23 N.J.R. 3826(c).
 Public Notice: Amend the Sussex County water quality management plan in Fredon Township.
 See: 23 N.J.R. 3826(a).

Public Notice: Amend the Monmouth County water quality management plan.
 See: 23 N.J.R. 3626(b).
 Public Notice: Amend the Northeast water quality plan in Florham Park.
 See: 24 N.J.R. 147(c).
 Public Notice: Amend the Monmouth County water quality management plan in Wall Township.
 See: 24 N.J.R. 148(a).
 Public Notice: Amend the Lower Raritan/Middlesex County water quality management plan in Monroe Township and parts of Cranbury Township.
 See: 24 N.J.R. 148(b).
 Public Notice: Amend the Lower Delaware water quality management plan in Hopewell Township, Cumberland County.
 See: 24 N.J.R. 148(c).
 Public Notice: Amend the Tri-County water quality management plan in Easthampton, Hainesport, Mount Holly, Lumberton and Westhampton Townships.
 See: 24 N.J.R. 149(a).
 Public Notice: Amend the Lower Delaware water quality management plan in Oldmans Township, Salem County.
 See: 24 N.J.R. 149(b).
 Public Notice: Amend the Upper Delaware water quality management plan in Harmony Township.
 See: 24 N.J.R. 149(c).
 Public Notice: Amend the Upper Raritan water quality management plan.
 See: 24 N.J.R. 149(d).
 Public Notice: Amend the Tri-County water quality management plan in Logan Township, Gloucester County.
 See: 24 N.J.R. 655(a).
 Public Notice: Amend the Lower Delaware water quality management plan in Upper Pittsgrove Township, Salem County.
 See: 24 N.J.R. 654(c).
 Public Notice: Amend the Tri-County water quality management plan in Winslow Township, Camden County.
 See: 24 N.J.R. 655(b).
 Public Notice: Sussex County water quality management in Sparta Township.
 See: 24 N.J.R. 867(b).
 Public Notice: Upper Delaware water quality management in Franklin Township.
 See: 24 N.J.R. 867(c).
 Public Notice: Upper Raritan water quality management in Somerset Township.
 See: 24 N.J.R. 867(d).
 Public Notice: Amend the Lower Delaware water quality management plan in Deerfield Township, Cumberland County.
 See: 24 N.J.R. 1123(e).
 Public Notice: Amend the Upper Raritan water quality management plan in Clinton Township.
 See: 24 N.J.R. 1123(d).
 Public Notice: Amend the Ocean County water quality management plan in Jackson Township.
 See: 24 N.J.R. 1123(b).
 Public Notice: Amend the Sussex County water quality management plan in the Borough of Hopatcong.
 See: 24 N.J.R. 1124(a).
 Public Notice: Amend the Ocean County water quality management plan in Stafford Township.
 See: 24 N.J.R. 1123(a).
 Public Notice: Amend the Upper Raritan water quality management plan in Hillsborough Township.
 See: 24 N.J.R. 1123(c).
 Public Notice: Amend the Northeast water quality management plan in West Caldwell Township.
 See: 24 N.J.R. 1643(d).
 Public Notice: Amend the Upper Delaware water quality management plan in Franklin Township.
 See: 24 N.J.R. 2082(b).
 Public Notice: Amend the Sussex water quality management plan in Jefferson Township.
 See: 24 N.J.R. 2081(c).

Public Notice: Amend the Mercer County water quality management plan in the Borough of Hopewell.
 See: 24 N.J.R. 2082(c).
 Public Notice: Amend the Sussex water quality management plan in Frankford Township.
 See: 24 N.J.R. 2081(d).
 Public Notice: Amend the Northeast and Sussex water quality management plans in Jefferson Township.
 See: 24 N.J.R. 2082(a).
 Public Notice: Amend the Northeast water quality management plan in Chatham Township.
 See: 24 N.J.R. 2299(c).
 Public Notice: Amend the Monmouth County water quality management plan in Township of Holmdel.
 See: 24 N.J.R. 2300(a).
 Public Notice: Amend the Lower Delaware water quality management plan in the City of Millville, Cumberland County.
 See: 24 N.J.R. 2301(a).
 Public Notice: Amend the Tri-County water quality management plan in Logan Township.
 See: 24 N.J.R. 2300(c).
 Public Notice: Amend the Northeast water quality management plan in Pompton Lakes.
 See: 24 N.J.R. 2631(d).
 Public Notice: Amend the Sussex water quality management plan in Wantage Township.
 See: 24 N.J.R. 2740(a).
 Public Notice: Amend the Mercer County water quality management plan in Washington Township.
 See: 24 N.J.R. 2739(d).
 Public Notice: Amend the Mercer County water quality management plan in Hightstown Borough.
 See: 24 N.J.R. 2739(c).
 Public Notice: Amend the Tri-County water quality management plan in City of Bordentown.
 See: 24 N.J.R. 2739(b).
 Public Notice: Amend the Cape May County water quality management plan in Lower Township.
 See: 24 N.J.R. 2958(b).
 Public Notice: Amend the Upper Raritan water quality management plan in Bedminster Township, Borough of Far Hills and Bernards.
 See: 24 N.J.R. 2957(a).
 Public Notice: Amend the Lower Delaware water quality management plan in the City of Millville.
 See: 24 N.J.R. 2958(a).
 Public Notice: Amend the Monmouth County water quality management plan in the Borough of Tinton Falls.
 See: 24 N.J.R. 2957(c).
 Public Notice: Amend the Tri-County water quality management plan in West Deptford Township in Gloucester County.
 See: 24 N.J.R. 2957(d).
 Public Notice: Amend the Monmouth County water quality management plan in Colts Neck.
 See: 24 N.J.R. 3177(b).
 Public Notice: Amend the Monmouth County water quality management plan in the Township of Middletown, the Boroughs of Atlantic Highlands and Highlands.
 See: 24 N.J.R. 3177(a).
 Public Notice: Amend the Monmouth County water quality management plan in Marlboro Township.
 See: 24 N.J.R. 3442(a).
 Public Notice: Amend the Monmouth County water quality management plan in Holmdel Township.
 See: 24 N.J.R. 3422(b).
 Public Notice: Amend the Sussex water quality management plan in Frankford Township.
 See: 24 N.J.R. 3442(c).
 Public Notice: Amend the Sussex water quality management plan in Montague Township.
 See: 24 N.J.R. 3442(d).
 Public Notice: Amend the Ocean County water quality management plan for Great Adventure.
 See: 24 N.J.R. 3441(c).

Public Notice: Amend the Northeast water quality plan in Chatham Township.
 See: 24 N.J.R. 3562(b).
 Public Notice: Amend the Northeast water quality plan in Floram Park.
 See: 24 N.J.R. 3562(c).
 Public Notice: Amend the Sussex water quality management plan in Sparta Township.
 See: 24 N.J.R. 3562(a).
 Public Notice: Amend the Northeast water quality plan in Cliffside Park, Fort Lee, Washington Township and Rockleigh Borough.
 See: 24 N.J.R. 3768(a).
 Public Notice: Amend the Tri-County water quality management plan in Moorestown Township and Mount Laurel.
 See: 24 N.J.R. 3769(a).
 Public Notice: Amend the Monmouth County water quality management plan for the Boroughs of Belmar, South Belmar, Spring Lake, Spring Lake Heights, Sea Girt, Manasquan, Brielle and Township of Wall.
 See: 24 N.J.R. 3768(c).
 Public Notice: Amend the Northeast water quality plan for Pompton Lakes Borough.
 See: 24 N.J.R. 3768(b).
 Public Notice: Amend the Monmouth County water quality management plan for the Boroughs of Belmar, South Belmar, Spring Lake, Spring Lake Heights, Sea Girt, Manasquan, Brielle and Township of Wall.
 See: 24 N.J.R. 3768(c).
 Public Notice: Amend the Northeast water quality plan for Pompton Lakes Borough.
 See: 24 N.J.R. 3768(b).
 Public Notice: Amend the Monmouth County water quality management plan in Freehold and Farmingdale Boroughs, Howell Township, Freehold Township and western Wall Township.
 See: 24 N.J.R. 4421(b).
 Public Notice: Amend the Monmouth County water quality management plan in Colts Neck Township.
 See: 24 N.J.R. 4422(a).
 Public Notice: Invalidation of restrictions on development of freshwater wetlands pursuant to *New Jersey Chapter of the National Association of Industrial and Office Parks v. New Jersey Department of Environmental Protection*, 241 N.J.Super. 145, certif. den. 122 N.J. 374 (1990).
 See: 24 N.J.R. 4421(a).
 Public Notice: Amend the Northeast quality management plan: Shops at Primrose Brook.
 See: 24 N.J.R. 4420(a).
 Public Notice: Amend the Tri-County water quality management plan in West Deptford Township.
 See: 25 N.J.R. 600(c).
 Public Notice: Amend the Ocean County water quality management plan in Stafford Township.
 See: 25 N.J.R. 601(a).
 Public Notice: Amend the Upper Delaware water quality management plan in the Town of Phillipsburg, Borough of Alpha, Pohatcong Township and Lopatcong Township.
 See: 25 N.J.R. 600(b).
 Public Notice: Amend the Monmouth County water quality management in Marlboro Township.
 See: 25 N.J.R. 722(b).
 Amended by R.1993, d.59, effective February 1, 1993.
 See: 24 N.J.R. 344(b), 25 N.J.R. 547(a).
 In (d), (g) and (h), "written statement(s) of consent" were "endorsement(s)" or "endorse". Added subsection (l); consistency revisions throughout.
 Public Notice: Amend the Sussex water quality management plan in Sussex Borough and Hardyston Township.
 See: 25 N.J.R. 1287(a).
 Public Notice: Amend the Lower Raritan/Middlesex County water quality management plan.
 See: 25 N.J.R. 1286(b).
 Public Notice: Amend the Cape May County water quality management plan in Middle Township.
 See: 25 N.J.R. 1284(b).

Public Notice: Amend the Upper Raritan water quality management plan in the Borough of Peapack and Gladstone.
 See: 25 N.J.R. 1286(c).
 Public Notice: Amend the Monmouth County water quality management plan in the Township of Colts Neck.
 See: 25 N.J.R. 1286(a).
 Public Notice: Amend the Tri-County water quality management plan in the Moorestown Township.
 See: 25 N.J.R. 1580(b).
 Public Notice: Amend the Upper Raritan water quality management plan transferring management to Somerset County Board of Chosen Freeholders.
 See: 25 N.J.R. 1580(a).
 Public Notice: Amend the Sussex water quality management plan in Sparta Township.
 See: 25 N.J.R. 1579(b).
 Public Notice: Amend the Northeast water quality management plans in Wanaque Borough.
 See: 25 N.J.R. 1579(c).
 Public Notice: Amend the Tri-County water quality management plan in the Medford Township.
 See: 25 N.J.R. 1783(a).
 Public Notice: Amend the Upper Delaware water quality management plan in Blairstown Township.
 See: 25 N.J.R. 1782(b).
 Public Notice: Amend the Sussex County water quality management plans in Jefferson Township.
 See: 25 N.J.R. 1781(b).
 Public Notice: Amend the Upper Delaware water quality management plan in Lopatcong Township.
 See: 25 N.J.R. 1782(a).
 Public Notice: Amend the Ocean County water quality management plan in Plumstead Township.
 See: 25 N.J.R. 2595(c).
 Public Notice: Amend the Monmouth County water quality management plan in Millstone Township.
 See: 25 N.J.R. 2596(a).
 Public Notice: Amend the Monmouth County water quality management plan in Wall Township.
 See: 25 N.J.R. 2596(b).
 Public Notice: Amend the Tri-County water quality management plan in City and Township of Bordentown.
 See: 25 N.J.R. 2772(b).
 Public Notice: Amend the Northeast water quality management plan in Wanaque Borough.
 See: 25 N.J.R. 2774(c).
 Public Notice: Amend the Mercer County water quality management plan in West Windsor Township.
 See: 25 N.J.R. 2774(b).
 Public Notice: Amend the Mercer County water quality management plan in East Windsor Township.
 See: 25 N.J.R. 2774(a).
 Public Notice: Amend the Tri-County water quality management plan in Bordentown Township.
 See: 25 N.J.R. 2772(c).
 Public Notice: Amendment to Sussex County Water Quality Management Plan.
 See: 25 N.J.R. 3242(b).
 Public Notice: Amendments to regional and county water quality management plans.
 See: 25 N.J.R. 3563(b), 3563(c), 3866(b), 3866(c), 3866(d), 3866(e).
 Public Notice: Amendments to regional and county water quality management plans.
 See: 25 N.J.R. 4335(a), 4336(a), 4518(b).
 Public Notice: Amendment to Sussex County Water Quality Management Plan.
 See: 25 N.J.R. 4675(d).
 Public Notice: Amendments to Northeast Water Quality Management Plan.
 See: 25 N.J.R. 4961(b), 5363(d).
 Public Notice: Amendments to regional water quality management plans.
 See: 25 N.J.R. 6063(c), 6064(a).

Public Notice: Amendments to county water quality management plans.
 See: 26 N.J.R. 258(c), 258(d), 258(e).
 Public Notice: Amendments to county and regional water quality management plans.
 See: 26 N.J.R. 858(c), 1161(b), 1161(c), 1251(c), 1252(a), 1723(d), 1724(a), 1886(a), 1886(b), 1886(c), 1887(a), 2149(b), 2150(b), 2151(a), 2151(b), 2483(a), 2484(a), 2484(b), 2485(b), 2676(c), 2677(a), 2807(c), 2812(a), 3215(d), 3489(a), 3897(b), 4103(b), 4218(b), 4218(c), 4450(b), 4834(d).
 Public Notice: Amendments to county and regional water quality management plans.
 See: 27 N.J.R. 244(c), 391(b), 392(a), 588(b), 769(d), 770(a), 945(b), 1319(b), 1478(a), 2266(a), 2267(a), 2267(b), 2629(c), 2630(b), 3488(a), 3635(a), 3635(b), 3635(c), 3845(b), 3845(c), 4011(d), 4012(a), 4012(b), 4012(c), 4919(a), 5055(c), 5056(a).
 Public Notice: Amendments to county and regional water quality management plans.
 See: 28 N.J.R. 295(b), 1076(b), 1313(b), 1407(a), 1407(b), 1407(c), 1408(a), 1563(c), 1564(a), 2083(b), 2085(a), 2086(a), 2411(c), 2631(a), 2631(b), 2632(a), 2632(b), 3016(a), 3471(b), 3472(a), 3472(b), 3472(c), 3674(c), 3977(a), 3977(b), 4119(a), 4274(b), 4523(b), 4524(b), 4525(a), 4809(b), 5500(b), 5501(a).
 Public Notice: Amendments to county and regional water quality management plans.
 See: 29 N.J.R. 510(b), 510(c), 511(a), 704(b), 947(a), 2186(a), 2481(c), 2715(a), 3086(b), 3087(a), 3364(a), 3505(a), 3741(c), 3901(a), 4194(b), 4194(c), 4195(a), 4342(c), 4571(a), 5026(b), 5027(a).
 Amended by R.1997 d.108, effective May 5, 1997.
 See: 28 N.J.R. 729(a), 28 N.J.R. 2779(a), 28 N.J.R. 3494(a), 28 N.J.R. 3858(a), 29 N.J.R. 2142(a).
 Amended section references throughout (b); added new (b)4; redefined former (b)4 as (b)5; and deleted (j), which incorporated specified USEPA provisions into WQM plans.
 Public Notice: Amendments to county and regional water quality management plans.
 See: 30 N.J.R. 240(c), 241(a), 242(a), 242(b), 494(b), 571(a), 738(b), 739(b), 873(b), (c) and (d), 1096(b) and (c), 1097(a), 1325(b), (c) and (d), 1865(a), 2306(b), 2525(d), 2956(b), 2957(b), 3336(a) and (b), 3861(a), 3862(a), (b) and (c), 3863(a), 4261(a) and (b), 4278(a) and (b), 4471(b).
 Public Notice: Amendments to county and regional water quality management plans.
 See: 31 N.J.R. 184(b), 185(b), 689(a), 798(a), 902(b), 1207(b), 1213(b), 1214(a), 1214(b), 1380(a), (b) and (c), 1382(a), 1531(b) and (c), 1532(a), 1638(b), 1639(a), 2262(a), 2262(b), 2413(b), 2650(c), 2651(b), 2652(b), 2804(a), 2805(a) and (b), 2976(a), 3134(a) and (b), 3135(a), 4341(b).
 Public Notice: Amendments to county and regional water quality management plans.
 See: 32 N.J.R. 117(a), 325(a), 606(a), 607(a), 1427(b), 1435(a), 1650(a), (b) and (c), 1651(a), 1652(a), 2132(b), 2161(a), 2162(a), 2506(a), 3872(b), 4313(a).
 Public Notice: Amendments to county and regional water quality management plans.
 See: 33 N.J.R. 131(a), 591(a), 592(a), 594(a), 733(b), 1142(b), 1211(a), 2214(b), 2216(a), 2216(b), 2544(a), 2710(b), 3767(b), 3769(a), 3769(b), 4160(b), 4392(c).
 Public Notice: Amendments to county and regional water quality management plans.
 See: 34 N.J.R. 605(a), 783(a), 937(b), 938(a), 1046(a), 1051(a), 1281(a), 1281(b), 1282(a), 1552(a), 1861(a), 2151(b), 2472(a), 2868(c), 2869(a), 2869(b), 3029(a), 3029(b), 3391(b), 3391(c), 3537(a), 3538(a), 3650(a).
 Public Notice: Amendments to county and regional water quality management plans.
 See: 35 N.J.R. 1454(c), 1593(b), 2531(a), 2748(a), 2750(a), 2952(a), 3412(a), 3412(a), 4134(a), 4332(a), 4787(a), 4917(b), 4918(a), 5165(b), 5308(a), 5621(a).
 Public Notice: Amendments to county and regional water quality management plans.
 See: 36 N.J.R. 223(a).
 Amended by R.2004 d.48, effective February 2, 2004.
 See: 35 N.J.R. 119(a), 35 N.J.R. 1328(a), 36 N.J.R. 670(a).

In (b), substituted "(b)6" for "(b)5" in 1 through 4, added a new 5, and recodified former 5 as 6 and substituted "5" for "4" preceding "above"; in (g), added the third sentence in 3.

Public Notice: Amendments to county and regional water quality management plans.

36 N.J.R. 1611(b), 1611(c), 2085(a), 2940(a), 2940(b), 3436(a), 3436(b), 3437(a), 3591(a), 3591(b), 4178(a).

Case Notes

Where Department of Environmental Protection failed to act within 60 days upon county's petition to amend water quality management plan, builder had continuing right to seek legal recourse so long as Department failed to act. *Toll Bros., Inc. v. State, Dept. of Environmental Protection*, 242 N.J.Super. 519, 577 A.2d 845 (A.D.1990).

Failure to timely act on application to amend does not require automatic approval. *Toll Bros., Inc. v. State, Dept. of Environmental Protection*, 242 N.J.Super. 519, 577 A.2d 845 (A.D.1990).

Interested party may bring action to compel Department of Environmental Protection to act. *Toll Bros., Inc. v. State, Dept. of Environmental Protection*, 242 N.J.Super. 519, 577 A.2d 845 (A.D.1990).

7:15-3.5 Water quality management plan review, revision, and certification

(a) The Department and the designated planning agencies shall periodically review Statewide and areawide WQM Plans in order to propose appropriate amendments under N.J.A.C. 7:15-3.4, and to prepare appropriate revisions under this section.

(b) The Department and the designated planning agencies shall prepare revisions to Statewide and areawide WQM Plans under this section whenever such revisions are necessary to:

1. Correct, clarify, or update erroneous, unclear, or outdated statements in Statewide and areawide WQM Plans regarding:

- i. Development and wastewater treatment facilities existing at the time of the most recently adopted areawide WQM plan or amendment affecting the site; or

- ii. Proposed projects, provided that all other Department approvals were received, in full compliance with applicable regulations, at the time of the most recently adopted areawide WQM plan or amendment affecting the site;

2. Transfer or assign wastewater management plan responsibility under N.J.A.C. 7:15-5.13;

3. Revise schedules for submission of wastewater management plans under N.J.A.C. 7:15-5.23(g);

4. Provide for the following substantive changes in Statewide and areawide WQM plans where the Department determines no significant individual or cumulative impacts will occur to environmentally sensitive areas or other natural resources (such as water supplies) due to the proposed revision (individually or in combination with past revisions in the area), that the changes are consistent with N.J.A.C. 7:15-3.6 and 3.7, and that certain directly affected municipal and county agencies and other inter-

ests as identified by the Department have been provided an opportunity to review and comment on the proposed revision:

- i. Any increase in flow (including both increased loadings and no increased loadings) from industrial treatment works where no change in service area or discharge type (for example, discharge to surface water or ground water) is proposed and the discharge is not to a waterbody segment for which a TMDL has been proposed or adopted under N.J.A.C. 7:15-7. The Department may process such revisions prior to or simultaneously with a NJPDES permit for the same change in flow;

- ii. The transfer of sewer service area from one domestic treatment works to another, provided that the approved sewer service areas in the areawide WQM plan are currently contiguous in the area to be transferred, neither domestic treatment works is subject to a sewer connection ban, the proposed revision includes only areas currently designated for sewer service, both the sending and receiving wastewater management planning agencies concur with the proposed revision, and no new or expanded treatment works other than sewer line extensions is proposed as part of the revision;

- iii. Any increase of 20,000 gpd or less in planned wastewater flow to an on-site NJPDES-permitted discharge to ground water for a school or public institution, using the same general type of treatment works (for example, direct discharge to ground water, spray irrigation);

- iv. Any change in the estimated wastewater flow (see N.J.A.C. 7:15-5.16(b)8) or design capacity (see N.J.A.C. 7:15-5.16(b)9) to a NJPDES-permitted discharge to ground water from less than 20,000 gpd to more than 20,000 gpd, provided (b)4v below is satisfied and the same general type of treatment works is proposed;

- v. Expansion of a future sewer service area to contiguous lots, where the expansion involves less than 100 acres, contributes less than 8,000 gallons per day of additional wastewater flow, and does not create a significantly new pattern of sewered development such that a significant potential or incentive is created for additional revisions or amendments to open new areas to sewered development; or

5. Provide for any modification in an adopted regional stormwater management plan that does not require an amendment under N.J.A.C. 7:15-3.4(b)5.

(c) The documents that are automatically adopted into the Statewide or areawide WQM Plans under N.J.A.C. 7:15-3.4(b)1 through 4, and 7:15-3.4(i) shall not be revised under this section.

(d) The procedure for revision of Statewide and areawide WQM plans is as follows:

1. The Governor or his designee shall adopt revisions to areawide WQM plans and the Commissioner shall adopt revisions to the Statewide WQM Plan. Such revisions shall take effect immediately, unless the adoption notice specifies otherwise.

2. The Department shall, on an annual basis, make publicly available a list of adopted revisions to WQM plans. Under N.J.A.C. 7:15-3.4, interested persons may submit petitions to amend WQM plans to repeal or modify such revisions.

(e) Designated planning agencies shall revise areawide WQM Plans in accordance with procedures established by such agencies and approved by the Department. All revisions to areawide WQM plans are valid only upon their adoption by the Governor or his designee.

(f) The Governor or his designee shall certify adopted WQM Plans in accordance with United States Environmental Protection Agency regulations.

Administrative Correction to (b)3: Changed 5.24(g) to 5.23(g).

See: 22 N.J.R. 2001(b).

Amended by R.1997 d.108, effective May 5, 1997.

See: 28 N.J.R. 729(a), 28 N.J.R. 2779(a), 28 N.J.R. 3494(a), 28 N.J.R. 3858(a), 29 N.J.R. 2142(a).

Added (b)1i and ii; added (b)4; and in (c), amended N.J.A.C. references.

Amended by R.2004 d.48, effective February 2, 2004.

See: 35 N.J.R. 119(a), 35 N.J.R. 1328(a), 36 N.J.R. 670(a).

In (b), added 5.

7:15-3.6 Coordination with Coastal Zone and Hackensack Meadowlands programs

(a) In accordance with N.J.A.C. 7:7E-1.2(h), the Department's Rules on Coastal Zone Management, N.J.A.C. 7:7E, including, but not limited to, provisions concerning the Hackensack Meadowlands Development Commission at N.J.A.C. 7:7E-1.5(a) and 7:7E-3.45, shall provide the basic policy direction for WQM planning in the New Jersey Coastal Zone defined at N.J.A.C. 7:7E-1.2(b), including, but not limited to, the Hackensack Meadowlands District described in N.J.S.A. 13:17-4.

(c) The Department shall prepare a list of those water quality limited segments identified in accordance with (a) and (b) above. The list shall identify the boundaries of the water quality limited segments and the pollutants or pollutant parameters causing or expected to cause violations of the surface water quality standards in N.J.A.C. 7:9B. The list may include information regarding proposed approaches for the development of TMDL models for the identified water quality limited segments. The list shall include, to the extent known through information available to the Department, potential causes or sources of the violation of surface water quality standards, including specific or general categories of pollutant sources.

(d) The Department shall use the most recent listing of WQLS adopted by the Department and approved by the USEPA as the basis for a new WQLS listing, and such WQLS shall continue to be considered WQLS unless specifically deleted with data and justification as described in (e) below. The Department may list new WQLS, also with data and justification as described in (e) below.

(e) The Department may utilize all or any of the following data sources in preparing the list described in (c) above:

1. Ambient surface water quality and flow data collected by an applicant or permittee in accordance with a QA/QC project work plan approved under N.J.A.C. 7:14A-2.12, or for which appropriate QA/QC procedures existed, were followed and can be verified;

2. Ambient surface water quality and flow data collected by the Department or by another government agency for which appropriate QA/QC procedures existed, were followed and can be verified;

3. Effluent quality and flow data, and permitted effluent quality and flow data, such as those submitted to the Department in compliance with monitoring or site-specific water quality study requirements of the NJPDES rules at N.J.A.C. 7:14A;

4. Any additional data which the Department may identify as applicable pursuant to 40 CFR 130.7(b)(5); or

5. Other data not included in (e)1 through 4 above, for the purpose of supporting conclusions otherwise based on data from (e)1 through 4 above or for the purpose of identifying segments pursuant to (f) below for which further investigation is appropriate prior to determining whether or not the segment is a WQLS.

(f) The Department may identify and include on the list described in (c) above additional waterbody segments for which data regarding impairment or non-attainment of surface water quality standards are incomplete or inconclusive but for which data are sufficient to warrant further investigation.

7:15-6.3 Ranking of water quality limited segments

(a) The Department shall rank all water quality limited segments listed pursuant to N.J.A.C. 7:15-6.2(c). The ranking system shall incorporate the following considerations:

1. The relative number, locations, NJPDES permit expiration dates, and types of existing and anticipated point source discharges, and immediate NJPDES permit program needs such as wasteload allocations (WLAs) for permits;

2. The severity of the water quality impairment or potential impairment of the waterbody segment, including risks to human health and aquatic life, vulnerability or fragility of a particular segment as an aquatic habitat, or water pollution problems identified by the Department;

3. The extent to which water quality impairment or the threat of impairment is expected or projected to increase in the absence of further discharge controls;

4. The extent and types of existing and anticipated nonpoint discharges, including immediate nonpoint source control program needs for individual or aggregate load allocations (LAs) regarding such sources, which may support the implementation of best management practices (BMPs);

5. The designated uses of the waterbody segment established in N.J.A.C. 7:9B-1 as well as existing uses, degree of public interest and support or the recreational, economic, and aesthetic importance of a particular waterbody segment;

6. The quality, quantity and extent of available data in determining whether a waterbody segment shall be included on the list; and

7. For purposes of this subchapter and N.J.A.C. 7:15-7, stormwater point sources shall, in general, be considered as nonpoint sources. However, a stormwater point source may be treated as a point source if:

- i. There is a continuous, or regular and frequent, discharge from that stormwater point source in non-storm periods (more than three days after precipitation or the melting of frozen precipitation ends);

- ii. The Department determines that the discharge in non-storm periods is a significant contributor of pollutants. In making this determination, the Department may consider the location of the discharge with respect to waters of the State, the size and frequency of the discharge, the quantity and nature of pollutants being discharged, the quality of the receiving waters, and other relevant factors; and

- iii. The Department determines that the development of numeric effluent limitations may be feasible for the discharge.

(b) The Department shall identify those waterbody segments targeted for development of a TMDL during the two

years subsequent to the adoption of the list in accordance with N.J.A.C. 7:15-6.4.

7:15-6.4 Public process

(a) The waterbody segment list described in N.J.A.C. 7:15-6.2 and 7:15-6.3, including the relative rank of each water quality limited segment, shall be adopted as an amendment to the Statewide WQM Plan in accordance with (c) through (g) below.

(b) The Department may also adopt as an amendment to the Statewide WQM Plan in accordance with (c) through (g) below, or otherwise publish for public comment, sublists of waterbody segments which fall into the following categories:

1. Waterbody segments for which data will be collected during the two years following adoption of the list, including the parameters to be addressed;

2. Waterbody segments for which a TMDL will be developed during the two years following adoption of the list, including the parameters to be addressed and the proposed approach for the TMDL model to be developed;

3. Waterbody segments for which NJPDES discharge permits based on a TMDL will be developed during the two years following adoption of the list, including the parameters to be addressed; and

4. Waterbody segments for which the TMDL/WLA/LA process, including issuance of NJPDES discharge permits as appropriate, has been completed since the last adoption of the waterbody segment list. This component of the list shall specify the parameters that have been addressed.

(c) The lists described in (a) and (b) above shall be subject to public comment. The Department shall provide public notice and a summary of the listed waterbody segments in the New Jersey Register and in a daily or weekly newspaper of general circulation within the affected area(s). The Department shall send copies of the public notice to the applicable designated planning agency or agencies, if any, the USEPA, adjacent affected states where appropriate, any individual sources of pollutants or use impairments included within the WQLS list and applicable agencies or individuals identified in accordance with N.J.A.C. 7:14A-15.10(e). The Department shall provide documentation to the Regional Administrator of the USEPA in accordance with 40 CFR 130.7(b)6.

(d) Public notice shall include the following:

1. The name and address of the Bureau or Office in the Department from which the complete listing may be obtained and to which comments may be addressed;

2. A summary of listed waterbody segments and relevant parameters to be addressed in the TMDLs; and

3. A brief description of the procedures for comment on the waterbody segments lists, the parameters to be addressed in the TMDL, and the proposed TMDL approach.

(e) Interested persons may submit written comments to the Department within 30 days of the date of the public notice. Interested persons may request that the public comment period be extended up to 30 additional days. Requests for extensions to the comment period shall be submitted in writing to the Department within 30 days of the date of the public notice and specify a rationale for the extension. If the Department determines that there is sufficient cause for an extension based upon the request, it may grant the extension for 30 days or any shorter period as it deems appropriate.

(f) Interested persons may request that the Department hold a non-adversarial public hearing. Such requests shall be submitted in writing to the Department within 30 days of the date of the public notice and specify a rationale for the hearing. If the Department determines there is significant public interest in holding a public hearing, then a public hearing will be held. A public notice providing at least 30 days notice of the hearing will be published in a daily or weekly newspaper of general circulation within the affected area and mailed to the applicable designated planning agency or agencies, if any, as well as to any person who submitted comments in response to the original public notice. The public comment period shall automatically be extended to 15 days after the public hearing unless a later date is specified in the public notice.

(g) The Commissioner shall render a decision on the proposed list(s) which shall be deemed final agency action. The Commissioner shall either:

1. Adopt the list(s) as proposed, in part or in whole.
2. Adopt the proposed list(s) with minor changes which do not effectively destroy the value of the public notice; or
3. Disapprove the proposed list(s), in part or in whole.

Public Notice: Adoption of 1998 Section 303(d) List.

See: 30 N.J.R. 4282(b).

Public Notice: Solicitation of water quality-related data.

See: 33 N.J.R. 1794(a).

Public Notice: Adoption of the Amendment to the Statewide Water Quality Management Plan to Establish the 2002 Integrated List of Waterbodies.

See: 35 N.J.R. 470(a).

Public Notice: Notice of Solicitation of Water Quality Related Data to Support the Development of the 2004 Water Quality Limited Segments List

See: 35 N.J.R. 891(b), 35 N.J.R. 4920(a).

**SUBCHAPTER 7. TOTAL MAXIMUM DAILY
LOADS**

Authority

N.J.S.A. 13:1D-1 et seq., 58:10A-1 et seq., and 58:11A-1 et seq.