

CHAPTER 1B

ENVIRONMENTAL GUIDELINES FOR PLANNING,
DESIGNING, AND CONSTRUCTING
INTERCEPTOR SEWERS

Authority

N.J.S.A. 13:1D-1 et seq., 26:2E-1 et seq. and
Water Conservation Bond Act of 1969.
R.1972 d.233, eff. November 22, 1972.
See: 4 N.J.R. 302(c).

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SUBCHAPTER 1. GENERAL PROVISIONS

7:1B-1.1 Policy

(a) Planning, design, and construction of interceptor sewers, and approval by the Department of planning, design, and construction of interceptor sewers, shall be consistent with the statutory objectives of the National Environmental Policy Act (P.L. 91-190) and the Department of Environmental Protection Act of 1970 (Chapter 33, Laws of 1970).

(b) One method of implementing these statutory objectives is to make minimization of environmental impact a major responsibility of regional, county, and municipal governmental agencies.

7:1B-1.2 Purpose

The guidelines identify, for the applicant and the public, environmental objectives and constraints, planning and design guidelines, environmental specifications, and inspection procedures formulated to minimize the primary environmental impact from construction of interceptor sewers.

7:1B-1.3 Definitions

The following words and terms, when used in this Chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Applicant" means any person, corporation, agency, regional, county, or municipal authority or governing body, organization, or agent thereof who intends to construct, or to contract to construct, an interceptor sewer.

"Commissioner" means the Commissioner of the Department of Environmental Protection or his designated representative.

"Critical impact area" means and includes any area, condition, or feature which is environmentally sensitive, or which, if disturbed during interceptor sewer construction would adversely affect the environment. Critical impact areas include, but are not limited to, stream corridors; streams; inland wetlands; estuaries; coastal wetlands; slopes greater than 15 per cent, highly acid, highly erodible and adverse mineral soil conditions (such as highly glauconitic soils); natural surface and man-made surface and subsur-

face drainage facilities and features; areas of high water table; and mature stands of native vegetation.

“Department” means the New Jersey Department of Environmental Protection.

“Environmental plan” or “Plans” means any reports, engineering plans, maps or any other graphic or printed representation of the data and information required by the guidelines.

“Environmental specifications” means those portions of the contract document which describe, in detail, environmentally protective measures, procedures, and schedules, required by the guidelines, to construct an interceptor sewer.

“Guidelines” means these environmental guidelines for planning, designing, and constructing interceptor sewers.

“Inspector” or “Inspectors” means any observation and inspection forces whose responsibilities are defined by the guidelines.

“Interceptor sewer” means any large collector sewer or sewage transmission main which is planned or constructed with the aid of funds provided in accordance with the State Public Sanitary Sewerage Facilities Assistance Act of 1965 and the Water Conservation Bond Act (1969).

“Right-of-way” means and includes all areas for which permanent or temporary easements or other rights are purchased or utilized by the applicant for the purposes of constructing, maintaining, and operating an interceptor sewer.

“Stream corridor” means and includes the biophysical environment within the area carved by a natural watercourse between upland plateaus. (The applicant shall delineate the boundaries of stream corridors subject to consultation with and approval of the Bureau of Water Control of the Division of Water Resources of the Department and the Bureau of Wildlife Management and the Bureau of Fisheries Management both of the Division of Fish, Game and Shellfisheries of the Department.)

7:1B-1.4 Authority

(a) The Commissioner promulgates the guidelines pursuant to the following laws:

1. The “Department of Environmental Protection Act of 1970” (N.J.S.A. 13:1D-1 *et seq.*) establishes the Department as the principal government agency responsible for the protection, restoration, and enhancement of the quality of life in New Jersey. Department functions specified in the Act include the formulation of comprehensive policies for the protection of the natural resources of the State, the promotion of environmental protection, and the prevention of pollution of the environment of the State, and the administration and enforcement of New Jersey’s water quality management statutes.

2. The “State Public Sanitary Sewerage Facilities Assistance Act of 1965” (26:2B-1 *et seq.*) authorizes the Commissioner to prescribe terms and conditions for the issuance of planning loan funds and construction grant funds.

3. The “Water Conservation Bond Act” (1969) provides funds for planning and constructing sewerage facilities and is administered by the Commissioner in accordance with the State Public Sanitary Sewerage Facilities Assistance Act of 1965.

7:1B-1.5 Timing

(a) After a feasible engineering concept has been proposed, in accordance with Departmental procedures, and prior to undertaking work on detail design drawings, the applicant shall select the right-of-way as required by the guidelines.

(b) In addition, material submitted to fulfill the requirements of the guidelines (Sections 1 through 4 of Subchapter 2 of this Chapter) should be submitted to satisfy, in part, the Department’s “Project Report Requirements”.

7:1B-1.6 Scope and applicability

(a) The guidelines are minimum general and specific requirements.

(b) They apply to interceptor sewers financed by planning loans and construction grants made by the Department.

(c) They are intended to apply to the usual, not the exceptional conditions.

(d) They are subject to amendment and the Commissioner reserves the authority to specify more or less stringent requirements in any case as in his judgment may be in the interest of environmental protection.

(e) If the Commissioner specifies more or less stringent requirements, he shall state the reasons for so doing.

7:1B-1.7 Responsibilities

(a) The applicant shall collect and analyze the data necessary to formulate the planning decisions and environmental specifications required by the guidelines. The applicant shall present the data, decision-making methodology, planning decisions, and environmental specifications in a format that permits an independent analysis to be made by the Department and the public.

(b) The applicant shall be solely responsible for fulfilling the requirements of all rules, regulations, and requirements of the Department. The applicant shall be responsible at all times for activities undertaken in his behalf and in accordance with legal contract documents. The applicant should thoroughly familiarize himself with the interceptor sewer project by means of on-site inspections scheduled, at least, to coincide with the major phases of the project.