

**CHAPTER 15****WATER QUALITY MANAGEMENT PLANNING****Authority**

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

**Source and Effective Date**

R.1994 d.525, effective September 22, 1994.  
See: 26 N.J.R. 3106(a), 26 N.J.R. 4182(c).

**Executive Order No. 66(1978) Expiration Date**

Chapter 15, Statewide Water Quality Management Planning, expires on September 22, 1999.

**Chapter Historical Note**

The original text of this chapter (Industrial Pollution Control Financing Law) was adopted pursuant to N.J.S.A. 13:1B-3 and 13:1D-1 et seq. and was filed and became effective on September 25, 1974 as R.1974 d.268. See: 6 N.J.R. 394(b). On October 7, 1980, R.1980 d.433 repealed this text. See: 12 N.J.R. 454(b), 12 N.J.R. 643(a). Chapter 15, Water Quality Management Planning and Implementation Process, was adopted by R.1984 d.110, effective April 2, 1984. See: 15 N.J.R. 765(b), 16 N.J.R. 1988(a). Pursuant to Executive Order No. 66(1978), Chapter 15 expired April 2, 1989. Chapter 15, Statewide Water Quality Management Plan was adopted as a new rule by 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). Petition for Rulemaking: Requesting amendment to the process for review and amendment of Areawide Water Quality Management Plans and associated permits. See: 21 N.J.R. 3183(b).

Public Notice: Amendment to the Statewide Water Quality Management Program Plan. See: 21 N.J.R. 3184(a). Public Notice: Opportunity for interested party review for rule amendments. See: 25 N.J.R. 411(a).

Pursuant to Executive Order No. 66(1978), Chapter 15 was readopted as R.1994 d.525. See: Source and Effective Date.

See section annotations for specific rulemaking activity.

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**SUBCHAPTER 1. GENERAL PROVISIONS****7:15-1.1 Scope**

(a) This chapter prescribes water quality management policies and procedures established pursuant to the Water

Quality Planning Act, N.J.S.A. 58:11A-1 et seq., the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., and N.J.S.A. 13:1D-1 et seq. Specifically, this chapter prescribes policies and procedures concerning the following subjects:

1. The content of the continuing planning process ("CPP") and its relationship to this chapter and the Statewide Water Quality Management ("WQM") Plan;
2. The relationship between the Statewide, areawide, and county water quality management (WQM) plans and this chapter;
3. The role of the Department and designated planning agencies in WQM planning activities;
4. The review of projects and activities for consistency with WQM plans and this chapter, including the issuing of consistency determinations for specified kinds of projects;
5. The preparation, adoption, amendment, revision, and certification of WQM plans;
6. The adoption of other Department rules, wastewater facilities priority systems and project priority lists, sludge management plans, effluent limitations, wastewater management plans, 201 Facilities Plans, and other documents in WQM Plans;
7. Coordination of WQM planning with Coastal Zone, Hackensack Meadowlands, and Pinelands programs;
8. Mechanisms to resolve conflicts among State agencies, designated planning agencies, applicants, and other parties affected by this chapter;
9. Selected aspects of wastewater management, including treatment works deemed to be consistent with WQM plans and this chapter; WQM Plan amendment requirements for treatment works not identified in WQM plans; construction of individual subsurface sewage disposal systems and other small domestic treatment works in future sewer service areas; and eligibility for financial assistance.
10. The identification of WQM plan amendments that require the adoption or amendment of wastewater management plans in areawide WQM plans;
11. The assignment of the duty to prepare and update wastewater management plans to certain sewerage agencies and municipalities, and the establishment of alternative assignments of such wastewater management plan responsibility; and
12. The required contents of wastewater management plans, and schedules and procedures for their submission, adoption, and updating.

Administrative Correction to (a)9: Changed "septic" to "subsurface sewage disposal".

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)9, deleted reference to NJPDES permittees required for certain domestic treatment works.

### 7:15-1.2 Construction

This chapter shall be liberally construed to permit the Department to discharge its statutory functions, and to effectuate the provisions of the Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., N.J.S.A. 13:1D-9, the Statewide WQM Plan, and the areawide WQM plans.

### 7:15-1.3 Purpose

(a) The purpose of this chapter is to:

1. Implement the Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., and N.J.S.A. 13:1D-9;
2. Establish policies, procedures and standards which, wherever attainable, help to restore and maintain the chemical, physical and biological integrity of the waters of the State, including groundwaters, and the public trust therein, to protect public health, to safeguard fish and aquatic life and scenic and ecological values, and to enhance the domestic, municipal, recreational, industrial and other uses of water;
3. Prevent, control, and abate water pollution;
4. Conserve the natural resources of the State, promote environmental protection, and prevent the pollution of the environment of the State;
5. Encourage, direct, supervise and aid areawide WQM planning;
6. Integrate and unify the Statewide and areawide WQM planning processes, and provide for continuing WQM planning;
7. Ensure that projects and activities affecting water quality are developed and conducted in a manner consistent with this chapter and adopted WQM Plans;
8. Coordinate and integrate WQM plans with related Federal, State, regional and local comprehensive land use, functional and other relevant planning activities, programs and policies;
9. Develop and implement water quality programs in concert with other social and economic objectives;
10. Provide opportunities for public participation in the WQM planning process;
11. Prepare, administer, and supervise Statewide, regional and local plans and programs concerning conservation and environmental protection, including plans and programs concerning sewerage facilities;

12. Encourage, direct and aid in coordinating State, regional and local plans and programs concerning conservation and environmental protection, including plans and programs concerning sewerage facilities, in accordance with a unified Statewide Plan formulated, approved and supervised by the Department;

13. Supervise sanitary engineering facilities within the State; and

14. Encourage the development of comprehensive regional sewerage facilities that serve the needs of the regional community and that conform to the adopted areawide WQM plan applicable to that region.

#### 7:15-1.4 Severability

If any section, subsection, provision, clause, or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby and shall remain in full force and effect.

#### 7:15-1.5 Definitions

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

“Actual flow” means the volume of sewage and other wastes that a DTW receives; actual flow shall be determined by the arithmetic average of the metered daily volumes of waste received at a DTW for the preceding period of three consecutive calendar months. Where peak flows have been determined by the Department to be seasonal in nature, the seasonal peak flow period shall be used in determining actual flow.

“Adoption” means the adoption by the Department of Statewide WQM Plans or amendments or revisions thereof and the adoption by the Governor or his designee of areawide plans or amendments or revisions thereof pursuant to this chapter.

“Amendments” means changes to the Statewide and areawide WQM plans that may be proposed and adopted under N.J.A.C. 7:15-3.4.

“Areawide plan” or “areawide WQM plan” means the areawide WQM plan authorized in Section 5 of the Water Quality Planning Act (N.J.S.A. 58:11A-1 et seq.), and Sections 208 and 303 of the Clean Water Act, 33 U.S.C. § 1251 et seq.

“Authority” means a sewerage authority as defined in N.J.S.A. 40:14A-3(5), or a municipal authority as defined in N.J.S.A. 40:14B-3(5).

“Best Management Practices (BMPs)” means the methods, measures, or practices to prevent or reduce the amount of pollution from point or non-point sources, including

structural and nonstructural controls, and operation and maintenance procedures.

“BRC-regulated sewer or water utilities” means sewer utilities or water utilities regulated by the Board of Regulatory Commissioners under N.J.S.A. 48:1-1 et seq. and N.J.A.C. 14:9.

“Commissioner” means the Commissioner of the New Jersey Department of Environmental Protection or his or her designee.

“Consistency determination” means the written statement by the Department under N.J.A.C. 7:15-3.2, as to whether a project or activity listed in N.J.A.C. 7:15-3.1(b) is consistent with, inconsistent with, or not addressed by, adopted WQM Plans and this chapter.

“Continuing planning process” or “CPP” means the Statewide planning process conducted by the Department of Environmental Protection as authorized in Section 7 of the Water Quality Planning Act (N.J.S.A. 58:11A-7).

“County utilities authority” means any public body created by a county governing body pursuant to N.J.S.A. 40:14B-4a, or any sewerage authority or county sewer authority reorganized as a county utilities authority pursuant to N.J.S.A. 40:14B-6b.

“County water quality management plan” or “County WQM plan” means a county plan prepared by a county planning board pursuant to Section 5 of the Water Quality Planning Act (N.J.S.A. 58:11A-5).

“CP1 application” means the formal application for a permit from the Department.

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

“Designated area” means an area designated by the Governor as an areawide WQM planning area pursuant to Section 4 of the Water Quality Planning Act (N.J.S.A. 58:11A-4).

“Designated management agency” means an agency designated in an adopted WQM plan to implement one or more of the policies, objectives, and recommendations of that plan.

“Designated planning agency” means an agency designated by the Governor to conduct areawide WQM planning pursuant to Section 4 of the Water Quality Planning Act (N.J.S.A. 58:11A-4).

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure, or of any mining, landfill, excavation, roads, sewers and other infrastructure and any

use or change in the use of any building or other structure, or land or extension of use of land. Phased development shall be considered as a single project.

“District” means either or both of the following, depending on the context: the district of a sewerage authority as defined in N.J.S.A. 40:14A-3(6), or the district of a municipal authority as defined in N.J.S.A. 40:14B-3(6). For purposes of N.J.A.C. 7:15-5.14(a)1, 5.16(a)2i and 5.18(i), “district” shall also mean the Passaic Valley Sewerage District.

“Domestic treatment works” or “DTW” means a publicly or privately owned treatment works and shall include a treatment works processing domestic wastes together with any ground water, surface water, storm water or industrial process wastewater that may be present.

“Drawings and/or plans” means those drawings, site plans and/or blueprints prepared by a professional engineer or professional planner, as appropriate, which portray the development specifications of the site project or activity.

“DTW” means domestic treatment works.

“Emergency activities” means activities that are necessary to be performed in response to sudden or unexpected occurrences or conditions, in order to prevent loss of life, personal injury, severe property damage, or severe environmental damage.

“Environmentally sensitive areas” means those areas identified in a Statewide or areawide WQM plan as land areas possessing characteristics or features which are important to the maintenance or improvement of water quality, or to the conservation of the natural resources of the State.

“Freshwater wetlands” means freshwater wetland as defined at N.J.S.A. 13:9B-3 and N.J.A.C. 7:7A-1.

“Governmental entity” means a Federal, state, county or municipal government or school district whose jurisdiction is partially or entirely within New Jersey.

“Industrial/commercial” means any project or activity engaged in manufacturing, production or sales of services or products.

“Industrial treatment works” means an industrial treatment works as defined at N.J.A.C. 7:14A-1.9.

“Interim connection,” “interim construction” or “interim expansion” means interim connection, construction or expansion of wastewater facilities as described in N.J.A.C. 7:15-4.2(a)4.

“Joint meeting” means a joint meeting as defined in N.J.S.A. 40:63-69.

“Load allocation” means the portion of a total maximum daily load that is not allocated to a point source of pollution.

“Multi-county joint meeting” means any joint meeting whose membership includes municipalities in two or more counties.

“Municipal authority” means a municipal authority as defined in the Municipal and County Utilities Authorities Law at N.J.S.A. 40:14B-3(5), and shall include a municipal utilities authority created by one or more municipalities and a county utilities authority created by a county.

“Municipal government” means a city, town, borough, village, township or other municipal government created by State law, which has an elected governing body, a chief executive, and municipal public officials including a municipal clerk, tax assessor, and tax collector.

“NJPDES” means the New Jersey Pollutant Discharge Elimination System established in N.J.A.C. 7:14A.

“NJPDES discharge permit” means a permit issued by the Department under N.J.A.C. 7:14A for a discharge to surface water or a discharge to ground water.

“Non-designated area” means an area not designated by the Governor as an areawide WQM planning area pursuant to Section 4 of the Water Quality Planning Act (N.J.S.A. 58:11A-4).

“Non-point source” means a contributing factor to water pollution that cannot be traced to a specific discernible confined and discrete conveyance.

“ORP” means the Office of Regulatory Policy, or its successor, in the Department of Environmental Protection.

“Passaic Valley Sewerage Commissioners” means the body described by that name under N.J.S.A. 58:14-2.

“Passaic Valley Sewerage District” means the sewerage district now or hereafter described by that name under N.J.S.A. 58:14-1 et seq.

“Point source” means any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

“Process waste water” means process waste water as defined at N.J.A.C. 7:14A-1.9.

“Regional authority” means any sewerage authority created by the governing bodies of two or more municipalities pursuant to N.J.S.A. 40:14A-4(c), or any municipal authority created by the governing bodies of two or more municipalities pursuant to N.J.S.A. 40:14B-5.

“Regional wastewater management plan area” means a wastewater management plan area that includes land in two or more municipalities.

“Revisions” means changes to WQM plans under N.J.A.C. 7:15-3.5 that are necessary for one or more of the purposes set forth at N.J.A.C. 7:15-3.5(b).

“Sewerage agency” means the Passaic Valley Sewerage Commissioners, a sewerage authority, a municipal authority or a joint meeting.

“Sewerage authority” means a sewerage authority created pursuant to the Sewerage Authorities Law, N.J.S.A. 40:14A-1 et seq.

“Significant modification” means a significant alteration, expansion or other change that may reasonably be expected to affect the quantity of flow treated or the quality of the effluent discharged to the waters of the State or to a publicly owned treatment works.

“Site-specific pollution control plan” means a plan that details necessary structures or measures designed to control one or more specified pollutants or sources of pollution from a site.

“State” means the State of New Jersey.

“State Water Quality Inventory Report” means the biennial report prepared by the Department, pursuant to Section 305 of the Clean Water Act, 33 U.S.C. §§ 1251 et seq., which inventories and assesses the quality of surface and ground waters of the State.

“Statewide Water Quality Management Plan” or “Statewide WQM Plan” (formerly known as the Statewide Water Quality Management Program Plan) means the plan that, together with this chapter, directs and coordinates water quality planning and implementation activities for the entire State, and contains the written provisions of the CPP pursuant to Section 7 of the Water Quality Planning Act (N.J.S.A. 58:11A-7).

“Total maximum daily load” means a total maximum daily load formally established pursuant to Section 7 of the Water Quality Planning Act (N.J.S.A. 58:11A-7) and Section 303(d) of the Clean Water Act, 33 U.S.C. §§ 1251 et seq.

“Treatment works” means treatment works as defined at N.J.A.C. 7:14A-1.9.

“Treatment works approval” means an approval issued pursuant to N.J.S.A. 58:10A-6b and N.J.A.C. 7:14A-12.

“201 Facilities Plans” means the plans for wastewater facilities prepared pursuant to Section 201 of the Clean Water Act, 33 U.S.C. §§ 1251 et seq.

“201 Facilities Planning agencies” means those agencies which are responsible for conducting 201 facilities planning, pursuant to Section 201 of the Clean Water Act, 33 U.S.C. §§ 1251 et seq.

“209 Basin Plans” means water resources plans adopted pursuant to Section 209 of the Clean Water Act, 33 U.S.C. §§ 1251 et seq.

“Upgrade” means a modification of a domestic or industrial treatment works to improve the quality of effluent discharged to surface water or ground water.

“USEPA” means the United States Environmental Protection Agency.

“USGS quadrangle map” means any of the set of topographic maps published by the United States Geological Survey at 1:24,000 scale and known as “quadrangles” or “quads”.

“Wasteload allocation” means the portion of a total maximum daily load that is allocated to a point source.

“Wastewater management agency” means a governmental entity or sewerage agency designated in an areawide WQM plan to plan, construct, or operate domestic treatment works.

“Wastewater management plan” or “WMP” means a written and graphic description of existing and future wastewater-related jurisdictions, wastewater service areas, and selected environmental features and treatment works.

“Wastewater management plan area” or “WMP area” means the geographic area for which a governmental unit or other person has “wastewater management plan responsibility” as defined in N.J.A.C. 7:15-5.3(b).

“Wastewater management planning agency” means a governmental unit or other person that has “wastewater management plan responsibility” as defined in N.J.A.C. 7:15-5.3(b).

“Water quality based effluent limitations” means water quality based effluent limitations established pursuant to the Department’s Surface Water Quality Standards (N.J.A.C. 7:9-4), including, but not limited to, wasteload allocations.

“Water quality limited segment” means any segment of a waterway where it is known that water quality does not meet applicable water quality standards, and/or is not expected to meet applicable water quality standards, even after the application of the technology-based effluent limitations required by Sections 301(b) and 306 of the Clean Water Act, 33 U.S.C. §§ 1251 et seq.

“Water quality management plans” or “WQM plans” means the plans prepared pursuant to Sections 208 and 303 of the Clean Water Act, 33 U.S.C. §§ 1251 et seq., and the

Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., including the Statewide, areawide, and county WQM Plans.

“WMP” means wastewater management plan.

“Work programs and plans” means those documents that detail the specific work activities proposed as part of a water quality management program.

“WQM plan” means water quality management plan.

Administrative Correction: Deleted “domestic” from “Wastewater management plan” definition.

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).

Changed “BPU-regulated” to “BRC-regulated”; deleted “BWQP”, “Commercial unit”, “Director” and “Division”; added “ORP”; updated Department name, wherever mentioned.

## SUBCHAPTER 2. PLANNING REQUIREMENTS

### 7:15-2.1 Continuing planning process (CPP)

(a) The Department shall conduct a continuing planning process (CPP) whose written provisions shall be contained, directly or by reference, in the Statewide WQM Plan and this chapter. In conducting the CPP the Department shall:

1. Integrate and unify the Statewide and areawide water quality management planning processes;
2. Encourage, direct, supervise and aid areawide water quality management planning;
3. Coordinate and integrate WQM plans with related Federal, State, regional and local comprehensive land use, functional and other relevant planning activities, programs and policies;
4. Identify aspects of the CPP that have been delegated to other State, Federal, interstate, or local agencies;
5. Provide opportunities for meaningful public participation in the water quality management planning process;
6. Conduct a Statewide assessment of water quality. (The State Water Quality Inventory Report shall be the principal water quality assessment component of the Statewide WQM Plan.);
7. Establish water quality goals and water quality standards for the waters of the State; and
8. Develop a Statewide implementation strategy to achieve the water quality standards and objectives and meet the requirements of Section 303(e) of the Clean Water Act (33 U.S.C. §§ 1251 et seq.), which shall include, but not be limited to:

i. The determination of effluent limitations and schedules of compliance at least as stringent as those required by the Clean Water Act (33 U.S.C. §§ 1251 et seq.);

ii. The identification of water quality limited segments;

iii. The determination of total maximum daily loads, wasteload allocations, and load allocations for pollutants;

iv. The incorporation of areawide and county WQM plans, applicable 209 Basin Plans, 201 Facilities Plans, and wastewater management plans;

v. The amendment and revision of WQM plans, including schedules for such amendment and revision;

vi. An inventory and ranking of needs, in order of priority, for the construction of wastewater facilities;

vii. The determination of priorities for the issuance of discharge permits;

viii. Methods for controlling all residual wastes from any water treatment processing; and

ix. Adequate authority for intergovernmental cooperation in water quality management activities.

(b) In order to accomplish one or more of the requirements of (a) above, the CPP may also include or otherwise address, but not be limited to, one or more of the following:

1. Identification of existing or potential surface or ground water pollution problems, caused by point or nonpoint sources;
2. Evaluation of programs for water pollution control based upon factors that may include, but not be limited to, technical feasibility; cost-effectiveness; public acceptability; economic, social or environmental impact; or legal, institutional, managerial or financial capability;
3. Technical measures, regulatory programs, or non-regulatory programs for point or nonpoint source water pollution control, protecting water resources, protecting environmentally sensitive areas, or other water quality related issues;
4. Designation of management agencies to implement one or more provisions of WQM plans; and
5. Other measures necessary to implement WQM plans.

Public Notice: The DEP plans to amend the Statewide Management Program Plan.

See: 18 N.J.R. 711(d).

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: The DEP plans to amend the Statewide Water Quality Management Plan.

See: 27 N.J.R. 3232(b).

Public Notice: Addendum to List of Water Quality Limited Waterbodies.

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)4 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)4 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:E-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)4 below.

4. Components of the Statewide WQM Plan other than (b)1 through 3 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, CN 029, Trenton, New Jersey 08625.

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. 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 areawide 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) Total maximum daily loads, wasteload allocations, load allocations, and listings of water quality limited segments established by the United States Environmental Protection Agency (USEPA) pursuant to 40 CFR 130.7(d) shall be considered to be part of areawide WQM plans, but the Governor or his designee may adopt more stringent requirements in such plans pursuant to the procedures in (g) above. The Governor or his designee may also adopt these WQM plan elements under (g) above in the absence of USEPA action to establish such elements.

(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 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 Westampton 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, cert. 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).

#### 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;
2. Transfer or assign wastewater management plan responsibility under N.J.A.C. 7:15-5.13; or
3. Revise schedules for submission of wastewater management plans under N.J.A.C. 7:15-5.23(g).

(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 3, (i), and (j) 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).

#### 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.

(b) The initial performance of emergency activities, including, but not limited to, emergency activities allowed by emergency permits issued pursuant to N.J.A.C. 7:14A-2.2, is deemed to be consistent with the WQM plans and this chapter. The Department may require the results of an emergency activity to be removed or modified after such initial performance, in order to obtain conformance with a WQM plan or this chapter.

Administrative Correction to (a)3: Changed "on" to "or".  
See: 22 N.J.R. 2001(b).

#### Case Notes

Requirement to provide water storage; public water supply system that has undertaken additional services. *DEPE v. Weymouth Township Municipal Utilities Authority*, 94 N.J.A.R.2d (EPE) 87.

### 7:15-4.3 Treatment works not identified in Water Quality Management Plans

(a) Except as provided in N.J.A.C. 7:15-4.2 or 4.4, the following treatment works are considered to be inconsistent with the areawide WQM plan, and shall require an amendment to that plan to be eligible for treatment works approvals, NJPDES discharge permits, or financial assistance under the Clean Water Act, U.S.C. §§ 1251 et seq., or under N.J.A.C. 7:22.

1. New domestic or industrial treatment works, or expansions of existing domestic or industrial treatment works, if such new treatment works or expansions are not identified in the existing areawide WQM plan, are not sewers or pumping stations, and would:

- i. Directly discharge to surface waters, or onto the land surface (for example, spray irrigation or overland flow facilities); or
- ii. Have a design capacity of 2000 gallons per day or larger.

2. New DTW that would conflict with or be outside of future sewer service areas depicted in the areawide WQM plan.

(b) The provisions of (a) above apply whether treatment works approvals are sought for both construction and operation, or for construction only, of treatment works.

(c) This section does not apply to the following treatment works:

1. Activities identified under N.J.A.C. 7:14A-12.4 as not requiring treatment works approval;
2. Treatment works components that handle sludge only;
3. Industrial treatment works that do not handle process waste water or sanitary sewage; or
4. DTW that meet the criteria in N.J.A.C. 7:15-5.18(c)6ii, if such DTW would provide service only in:

i. Areas depicted under N.J.A.C. 7:15-5.18(c)6 in adopted wastewater management plans; or

ii. Areas identified as "on-site ground water disposal areas", or identified by substantially equivalent names, in wastewater management plans that are adopted or in effect under N.J.A.C. 7:15-5.2.

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

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

Deleted (d), concerning preparation of amendments to WQM plans.

### 7:15-4.4 Individual subsurface sewage disposal systems and other small domestic treatment works in sewer service areas

(a) Subject to the provisions of (b) and (c) below and of N.J.A.C. 7:15-5.19, depiction of future sewer service areas in wastewater management plans or elsewhere in areawide WQM plans shall not be construed to prohibit the lawful construction in such areas of the following DTW:

1. Individual subsurface sewage disposal systems for individual residences pursuant to N.J.A.C. 7:9A; or
2. Other DTW that would have a design capacity of less than 2,000 gallons per day, and use either subsurface sewage disposal systems or other sewage disposal systems that would not directly discharge to surface water or onto the land surface.

(b) DTW identified in (a) above shall be constructed in depicted sewer service areas only if legally enforceable guarantees are provided before such construction that the depicted sewer service will be used when it becomes available, and that any discharge to ground water will then be discontinued.

(c) DTW that are identified in a(2) above and that require treatment works approval shall not be constructed in the depicted sewer service area of a DTW on which a sewer connection ban is in effect under N.J.A.C. 7:14A-12.21, unless such construction would, even in the absence of the sewer connection ban, be cost-effective, environmentally sound, and feasible from the engineering standpoint.

### 7:15-4.5 Eligibility for financial assistance

Financial assistance under the Clean Water Act, 33 U.S.C. §§ 1251 et seq., or under N.J.A.C. 7:22, for planning, design, or construction of DTW shall be awarded only to Wastewater Management Agencies identified in a Statewide or areawide WQM Plan.

## SUBCHAPTER 5. WASTEWATER MANAGEMENT PLANNING REQUIREMENTS

### 7:15-5.1 Wastewater management plan requirement for water quality management plan amendments

(a) If a proposed WQM plan amendment under N.J.A.C. 7:15-3.4(c) or (g) includes a DTW not identified in the

existing WQM plan, or includes an expansion of an existing DTW above the capacity identified in the existing WQM plan, or modifies a wastewater service area delineation in the existing WQM plan, the Governor or his designee shall adopt the amendment only if the amendment otherwise complies with this chapter and consists of, or includes, a wastewater management plan (WMP), or an amendment to a wastewater management plan, that identifies such DTW, expansion, or modified delineation.

(b) The requirement in (a) above applies only to:

1. Wastewater service area modifications that directly affect 10 or more acres, or the disposition of 20,000 gallons or more per day of wastewater; or
2. DTW that requires a NJPDES discharge permit, and that:
  - i. Directly discharge to surface waters, or onto the land surface (e.g., spray irrigation or overland flow facilities); or
  - ii. Have a design capacity of 20,000 gallons per day or larger.

(c) The requirement in (a) above does not apply to WQM plan amendments whose specific purpose or effect is to address projects or activities 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.), or that are identified in N.J.A.C. 7:15-3.4(h)3.

#### Case Notes

Department of Environmental Protection's local waste water management plan regulations do not exceed statutory authority. *New Jersey Builders Ass'n v. Fenske*, 249 N.J.Super. 60, 591 A.2d 1362 (A.D.1991).

#### 7:15-5.2 Validity of previously adopted or submitted wastewater management plans

(a) Wastewater management plans adopted between June 1, 1985 and October 2, 1989 shall remain in effect as wastewater management plans in the appropriate areawide WQM plans without the need for further adoption procedures.

(b) The Governor or his designee may, under N.J.A.C. 7:15-3.4, adopt any wastewater management plan that meets the requirements of the former "Policy on Wastewater Management Plans" that was part of the Statewide WQM Plan that the Department adopted on December 5, 1985, but that does not meet the procedural or substantive requirements of this subchapter, if a draft of that wastewater management plan was submitted to the Department prior to October 2, 1989.

Administrative Correction: Added the correct effective date. See: 22 N.J.R. 2001(b).

#### 7:15-5.3 Wastewater management planning agencies, wastewater management plan areas and wastewater management plan responsibility: general statement

(a) A "wastewater management planning agency" ("WMP agency") is a governmental unit or other person that has "wastewater management plan responsibility" as defined in (b) below. A "wastewater management plan area" ("WMP area") is the geographic area for which a wastewater management planning agency has "wastewater management planning responsibility".

(b) N.J.A.C. 7:15-5.4 through 5.8 identify governmental units that have "wastewater management plan responsibility" ("WMP responsibility") for the wastewater management plan areas specified in those sections, unless alternative assignments of wastewater management plan responsibility are established under N.J.A.C. 7:15-5.9, "Wastewater management plan responsibility" means the duty to:

1. Prepare, submit, and periodically update a wastewater management plan for the wastewater management plan area; and
2. Provide comments on proposed amendments to wastewater management plans under N.J.A.C. 7:15-3.4.

(c) Wastewater management plans shall be prepared, submitted, and periodically updated only by the wastewater management planning agencies for the corresponding wastewater management plan areas. Such wastewater management planning agencies shall submit wastewater management plans as requests to amend areawide WQM plans in accordance with the procedures specified in N.J.A.C. 7:15-3.4, and in accordance with the schedule specified in N.J.A.C. 7:15-5.23. A wastewater management planning agency may meet its responsibility to prepare and submit wastewater management plans by submitting wastewater management plans prepared by another party on behalf of that wastewater management planning agency.

(d) N.J.A.C. 7:15-5.4 through 5.13 apply notwithstanding any statements about wastewater planning responsibility contained in management agency designations or WQM Plans, or amendments thereto, issued or adopted before the effective date of this subchapter.

(e) The identification under this subchapter of wastewater management plan areas and assignments of wastewater management plan responsibility does not, by itself, establish or change the designations of 201 facilities planning areas or 201 facilities planning agencies. Such designations may be established or modified only by specific provisions for that purpose in amendments to areawide WQM plans under N.J.A.C. 7:15-3.4, including but not limited to provisions in wastewater management plans under N.J.A.C. 7:15-5.18(i). The identification of wastewater management plan areas under this subchapter does not establish or change the designation of "planning areas" as defined in N.J.A.C. 7:22-10.1.

i. National recreation areas, wildlife refuges, and historical parks administered by the United States Department of the Interior;

ii. State and interstate parks, forests, wildlife management areas, natural areas, and recreation areas administered by the Department or the Palisades Interstate Park Commission; and

iii. County and municipal parks, reservations, preserves, and other conservation or recreation areas;

5. River areas designated under the New Jersey Wild and Scenic Rivers Act, N.J.S.A. 13:8-45 et seq., or the Federal Wild and Scenic Rivers Act, 16 U.S.C. §§ 1278 et seq.;

6. Category One Waters, trout production waters, and trout maintenance waters designated in the Department's Surface Water Quality Standards, N.J.A.C. 7:9-4, based on the Department's maps of such waters; and

7. Surface waters, as mapped on USGS quadrangle maps.

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

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

Deleted (a)3iii, concerning 10-foot contour line specified in repealed N.J.A.C. 7:7E-8.19.

#### **7:15-5.18 Future wastewater jurisdictions, service areas, and domestic treatment works**

(a) In accordance with the provisions of this section, each wastewater management plan shall include a description of wastewater service areas and DTW necessary to meet anticipated wastewater management needs over a 20-year period. A wastewater management plan may also include such descriptions for shorter or longer periods.

1. Each wastewater management plan shall provide for cost-effective, environmentally sound wastewater management, including existing or new comprehensive regional DTW or regional management where appropriate. Upgrading or expansion 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. On a case-by-case basis, the Department may require wastewater management planning agencies to examine specific wastewater management alternatives as part of the preparation of the wastewater management plan. The Department may require such examination to include analysis of critical economic, social, environmental, or institutional factors pertaining to such alternatives.

(b) Subject to the requirements, qualifications, and exceptions listed in (b)3 through 8 below, wastewater service areas and DTW shall, to the maximum extent practicable, be identified in such a manner as to provide adequate wastewater service for:

1. Land uses allowed in zoning ordinances that have been adopted and are in effect under N.J.S.A. 40:55D-62; or

2. Future land uses shown in municipal or county master plans that have been adopted and are in effect under N.J.S.A. 40:55D-28 or N.J.S.A. 40:27-2. If such master plans are used, wastewater service areas and DTW shall, to the maximum extent practicable, be identified in a manner consistent with any sewerage provisions in such master plans.

3. The wastewater management plan shall list all of the zoning ordinances, municipal master plans, or county master plans on which the wastewater management plan is based. If any zoning ordinance is used, the documentation for the wastewater management plan shall include a copy of the map of the districts in that ordinance, and of the regulations in that ordinance which specify the type, density, and intensity of land use allowed in each district. If any master plan is used, documentation for the wastewater management plan shall include a copy of the map of proposed future land uses contained in that master plan, a copy of any text in the master plan which is needed to interpret the map, and a copy of any provisions in the master plan that address sewerage and waste treatment.

4. Due regard shall be given to the degree of likelihood that land development allowed in zoning ordinances will occur in the 20-year period, and to any substantial differences between dates associated with future land uses shown in master plans and the dates on which the 20-year periods end.

5. If, for particular locations, a zoning variance under article 9 of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., allows land development that would generate more wastewater than would the development allowed in the zoning ordinance or shown in the master plan, then for some or all of those locations the wastewater management plan may be based on the zoning variance rather than on the zoning ordinance or the master plan.

6. If, for particular locations, preliminary or final subdivision or site plan approvals under article 6 of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., have allowed land development that would generate more wastewater than would the development allowed in the zoning ordinance or shown in the master plan, then for those locations the wastewater management plan shall be based on such approvals rather than on the zoning ordinance or the master plan.

7. Wastewater management plans relating to the New Jersey Coastal Zone, the Hackensack Meadowlands District, the Pinelands Area, or the Pinelands National Reserve are subject to the requirements of N.J.A.C. 7:15-3.6 or 3.7, as appropriate.

8. The wastewater management plan may be inconsistent with zoning ordinances or master plans for other compelling reasons, provided that the wastewater management plan specifically identifies such inconsistencies and sets forth such reasons with adequate documentation.

(c) Each wastewater management plan shall include maps of future wastewater service areas, and of specified categories of future DTW, that are necessary to meet anticipated wastewater management needs at the end of the 20-year period, and at the end of any shorter or longer period identified under (a) above. These maps shall depict the following:

1. The location, within or outside the wastewater management plan area, of each existing, expanded, or new DTW, if any, that would not be a sewer or a pumping station, but that would receive sewage that would arise within or be conveyed into or through the wastewater management plan area, if such DTW would require a NJPDES discharge permit and:

i. Directly discharge to surface waters, or onto the land surface (for example, spray irrigation or overland flow facilities); or

ii. Have a design capacity of 20,000 gallons per day or larger, and store or dispose of sewage by any means;

2. The location of each discharge to surface or ground water from each DTW mapped within the wastewater management plan area under (c)1 above;

3. The location of each existing, expanded, or new pumping station and major interceptor and trunk sewer, if any, that would convey sewage within the wastewater management plan area;

4. The sewer service area, within or outside the wastewater management plan area, for each DTW mapped within the wastewater management plan area under (c)1 above, distinguishing the separate area to be served by each DTW;

5. The sewer service area, within the wastewater management plan area, for each DTW mapped outside the wastewater management plan area under (c)1 above, distinguishing the separate area to be served by each DTW;

6. The area, if any, within the wastewater management plan area that would be served only by either or both of the following:

i. Individual subsurface sewage disposal systems for individual residences; or

ii. Other DTW that would have a design capacity of less than 20,000 gallons per day, and use either subsurface disposal systems or other sewage disposal systems that would have no direct discharge to surface water or onto the land surface; and

7. The area, if any, within the wastewater management plan area that would be served only by either or both of the following:

i. Individual subsurface sewage disposal systems for individual residences; or

ii. Other DTW that would have a design capacity of less than 2,000 gallons per day, and use either subsurface disposal systems or other sewage disposal systems that would have no direct discharge to surface water or onto the land surface.

(d) For each DTW mapped within the wastewater management plan area under (c)1 above, each wastewater management plan shall further identify the future DTW that are necessary to meet wastewater management needs by providing, in narrative, outline, or tabular form, the following information applicable to such DTW at the end of the 20-year period, and at the end of any shorter or longer period identified under (a) above:

1. Owner and, where known, name of the DTW;

2. Name of any other governmental unit or corporation, if any, to be responsible for operating the DTW;

3. Location of the DTW within municipality, county, and WQM planning area, and within any existing district;

4. Where known, NJPDES permit number for any discharges from the DTW;

5. Name of present or proposed NJPDES permittee and any co-permittee for any discharges from the DTW;

6. Name and present classification, under N.J.A.C. 7:9-4 and N.J.A.C. 7:9-6, of any surface and ground waters that would receive any discharges from the DTW;

7. Estimate of residential population to be served by the DTW within and outside the wastewater management plan area, disaggregated by municipality and including any major seasonal fluctuations; and

8. Estimated average flow of wastewater to be received by the DTW, in millions of gallons per day, disaggregated by municipality and expressed as total flow, as flow arising within and outside the wastewater management plan area, and as flow attributed to each of the following sources: residential, commercial, and industrial.

(e) For each DTW mapped outside the wastewater management plan area under (c)1 above, each wastewater management plan shall further identify the future DTW that are necessary to meet wastewater management needs by providing, in narrative, outline, or tabular form, the following information applicable to such DTW at the end of the 20-year period, and at the end of any shorter or longer period identified under (a) above:

1. Owner and, where known, name of the DTW;

2. Estimate of residential population to be served by the DTW within the wastewater management plan area, disaggregated by municipality and including any major seasonal fluctuations; and

3. Estimated average flow of wastewater to be conveyed to the DTW from the wastewater management plan area, in millions of gallons per day, disaggregated by municipality and expressed as total flow and as flow attributed to each of the following sources: residential, commercial and industrial.

(f) The wastewater management plan shall document the basis for the estimated flows attributed to residential, commercial, and industrial sources under (d)8 and (e)3 above. Where actual, accurate gauging is available for a sewer system already in existence, such gauging shall be used in preparing these flow estimates, with an allowance for future changes in wastewater flow. There shall be a reasonable relationship between these flow estimates and sewer service areas identified under (c)4 and 5 above. There shall be a reasonable relationship, consistent with (b) above, between these sewer service areas and residential, population estimates under (d)7 and (e)2 above. The average domestic flow from new development, exclusive of industrial flows, shall be calculated utilizing the projected flow criteria found at N.J.A.C. 7:14A-23.3. In instances where future specific residential dwelling types are unknown, the residential flow calculation may be computed using 75 gallons per capita per day. No additional provisions for inflow and infiltration shall be made as the above flows include allowances for inflow and infiltration.

(g) Unless expressly stated otherwise in the wastewater management plan, disaggregations of estimated flows by municipality and land use under (d)8 and (e)3 above shall serve only to document the basis for estimates of total flow under those paragraphs, and shall not constitute legally enforceable flow allocations to those municipalities or land uses.

(h) If the Department has waived under N.J.A.C. 7:15-5.16(d) the disaggregation by municipality or land use of existing flow to a DTW, then the disaggregation of estimated flow by municipality or land use under (d)8 and (e)3 above shall be limited to disaggregation of future changes in wastewater flow to that DTW.

(i) A wastewater management plan may identify specific changes to assignments of wastewater management plan responsibility under N.J.A.C. 7:15-5.9, or specific changes to 201 facilities planning responsibilities. Such changes shall take effect upon adoption of the wastewater management plan under N.J.A.C. 7:15-3.4. A wastewater management plan may suggest the establishment, modification, or elimination of districts or franchise areas under N.J.S.A. 40:14A-1 et seq., 40:14B-1 et seq., 58:14-1 et seq., or 48:1-1 et seq., but such districts or franchise areas shall be established, modified or eliminated only in the manner provided by law. Inclusion of such suggestions in an adopted wastewater management plan does not, by itself, accomplish such establishment, modification, or elimination.

Administrative Correction to (e)3 and (f).

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

Administrative Correction to (f): incorporated omitted correction made at 22 N.J.R. 2001(b).

See: 25 N.J.R. 547(a).

Amended by R.1994 d.278, effective June 6, 1994.

See: 25 N.J.R. 3282(a), 26 N.J.R. 2413(b).

#### **7:15-5.19 Individual subsurface sewage disposal systems and other small domestic treatment works in sewer service areas**

(a) In sewer service areas depicted under N.J.A.C. 7:15-5.18(c)4 or 5, a wastewater management plan may

require the construction of DTW identified in N.J.A.C. 7:15-4.4(a)1 or 2 to be accompanied by construction of collection system sewers that would be used when the depicted sewer service becomes available. This requirement shall exist only if it is specifically stated in the wastewater management plan.

(b) A wastewater management plan shall require that individual subsurface sewage disposal systems for individual residences can be constructed in depicted sewer service areas only if legally enforceable guarantees are provided before such construction that use of such systems will be discontinued when the depicted sewer service becomes available.

(c) A wastewater management plan shall not apply requirements under (a) or (b) above to individual subsurface sewage disposal systems that do not require certifications from the Department under N.J.S.A. 58:11-25.1 or individual permits from the Department under N.J.A.C. 7:14A, unless that wastewater management plan includes adequate arrangements for enforcement of such requirements by one or more substate governmental units.

(d) Estimated wastewater flows under N.J.A.C. 7:15-5.18(d)8 and (e)3 shall include flows that will be received when use of DTW identified in N.J.A.C. 7:15-4.4(a)1 and 2 is discontinued when depicted sewer service becomes available.

Administrative Correction to (b): Deleted septic.  
See: 22 N.J.R. 2001(b).

#### **7:15-5.20 Specifications for text and graphics**

(a) Wastewater management plans should be concise, using the minimum feasible narrative and mapping. All pages, tables, and figures in wastewater management plans shall be legible and numbered.

(b) All maps in wastewater management plans shall use 1:24,000 scale United States Geological Survey quadrangle maps as a base, except that other maps at other scales may be provided as supplements. Each wastewater management plan shall include the following main maps at 1:24,000 scale:

1. A map depicting the existing boundaries of the wastewater management plan area and the existing treatment works and service areas identified under N.J.A.C. 7:15-5.16(a)3 through 9;

2. A map depicting future DTW and service areas identified at the end of the 20-year period under N.J.A.C. 7:15-5.18(c)1 through 6 and a corresponding map for any shorter or longer period identified under N.J.A.C. 7:15-5.18(a). Wherever feasible, the boundaries of future service areas shall coincide with recognizable geographic or political features. The existing boundaries of the wastewater management plan area shall also be depicted on any map under this paragraph; and

3. One or more maps depicting the existing boundaries of the wastewater management plan area, and the environmental features identified under N.J.A.C. 7:15-5.17. This map shall also state that development in areas mapped as wetlands, flood prone areas, or designated river areas may be subject to special regulation under Federal or State statutes or rules, and that interested persons should check with the Department for the latest information. Depiction of environmental features shall be for general information purposes only, and shall not be construed to define the legal geographic jurisdiction of such statutes or rules.

(c) Any other mapping required by N.J.A.C. 7:15-5.16 through 5.18 may be included on one or more of the main maps listed in (b) above, or on other 1:24,000 scale maps.

#### **7:15-5.21 Geographic overlap between wastewater management plans prohibited**

(a) After the effective date of this subchapter, the Governor or his designee shall not adopt a wastewater management plan that maps, under N.J.A.C. 7:15-5.18(c)1 or 4, any DTW or sewer service area outside the existing wastewater management plan area for that wastewater management plan, so long as that DTW or sewer service area is within a separate wastewater management plan area for which a separate, adopted wastewater management plan is in effect.

(b) To avoid geographic overlap prohibited by (a) above, existing assignments of wastewater management plan responsibility may be changed under N.J.A.C. 7:15-5.9, and adopted wastewater management plans may be amended or repealed under N.J.A.C. 7:15-3.4.

#### **7:15-5.22 Consultation and consent for wastewater management plans**

(a) Every wastewater management planning agency that prepares a wastewater management plan, and every governmental unit or other person that prepares an amendment to a wastewater management plan, shall, during such preparation, notify and seek comments from and offer to confer with:

1. All governmental units that have regulatory or planning jurisdiction over wastewater or land use in that wastewater management plan area, or in any additional sewer service area identified or being considered for identification under N.J.A.C. 7:15-5.16(a)6 or 5.18(c)4. Such governmental units shall include, but not be limited to: designated planning agencies, wastewater management planning agencies, county planning boards, municipal governing bodies and planning boards, sewerage authorities, municipal authorities, joint meetings, the Passaic Valley Sewerage Commissioners, the Hackensack Meadowlands Development Commission, the Pinelands Commission, and the Delaware River Basin Commission, as appropriate.

2. All governmental units and public utilities, and all vendors of wastewater treatment systems or services under the "New Jersey Wastewater Treatment Privatization Act", N.J.S.A. 58:27-1 et seq., that:

i. Own, lease, operate, or maintain DTW that receive wastewater that arises within, or that is conveyed into or through, that wastewater management plan area, or in any additional sewer service area identified or being considered for identification under N.J.A.C. 7:15-5.16(a)6 or 5.18(c)4;

ii. Are parties to contracts for such DTW;

iii. Are permittees or co-permittees under N.J.A.C. 7:14A for such DTW; or

iv. Are projected in a draft or previously adopted wastewater management plan for that wastewater management plan area to perform activities listed in (a)2 i, ii or iii above.

3. The criteria in (a)2 i through iv above are exclusive of collection facilities for sewage that arises only on nonresidential property owned or leased by the governmental unit, public utility, or vendor.

(b) Under N.J.A.C. 7:15-3.4(d)3 and (g)4, written statements of consent for wastewater management plans shall generally be requested from, at a minimum, the governing bodies of each of the governmental entities and sewerage agencies that are required to be notified under (a) above.

(c) Wastewater management plans relating to the New Jersey Coastal Zone, the Hackensack Meadowlands District, the Pinelands Area, or the Pinelands National Reserve are also subject to the requirements of N.J.A.C. 7:15-3.6 or 3.7, as appropriate.

Amended by R.1993, d.59, effective February 1, 1993.  
See: 24 N.J.R. 344(b), 25 N.J.R. 547(a).

In (b): "written statements of consent" was "endorsements".

#### **7:15-5.23 Schedule for submission of wastewater management plans**

(a) Each wastewater management planning agency shall periodically prepare and submit wastewater management plans as requests to amend areawide WQM plans under N.J.A.C. 7:15-3.4. The first such submission shall be made in accordance with the schedule established in (b) through (e) below. Thereafter, an updated wastewater management plan shall be submitted at least once every six years from the date of the previous submission. Alternative schedules for submission of wastewater management plans may be established and changed under (f) or (g) below. Early submissions of wastewater management plans may also be made under (j) below.

(b) The following governmental units shall submit wastewater management plans by October 2, 1990 or within 12 months after the creation of the governmental unit, whichever is later, if such units have wastewater management plan responsibility under N.J.A.C. 7:15-5.4 through 5.7:

1. Designated planning agencies;
2. The Passaic Valley Sewerage Commissioners;
3. County utilities authorities;
4. Regional authorities; and
5. Multi-county joint meetings.

(c) Other sewerage authorities, municipal authorities, joint meetings, and municipalities that have wastewater management plan responsibility under N.J.A.C. 7:15-5.6 through 5.8 shall submit wastewater management plans during the period specified in the following table or within 12 months of the creation of the governmental unit, whichever is later:

Table I  
Wastewater Management Plan Submission Schedule

Location of Wastewater Management Plan	Period of Submission
Burlington, Cape May, Middlesex, Ocean, Passaic, and Union Counties	October 3, 1990 through October 2, 1991
Atlantic, Morris, Salem, Sussex, and Warren Counties	October 3, 1991 through October 2, 1992
Bergen, Essex, Gloucester, Hunterdon, and Monmouth Counties	October 3, 1992 through October 2, 1993
Camden, Cumberland, Hudson, Mercer, and Somerset Counties	October 3, 1993 through October 2, 1994

(d) Notwithstanding the schedule in (b) and (c) above, if an entire wastewater management plan area is already addressed by one or more wastewater management plans identified in N.J.A.C. 7:15-5.2, the governmental unit that has wastewater management plan responsibility for that wastewater management plan area under N.J.A.C. 7:15-5.4 through 5.8 shall submit an updated wastewater management plan for that wastewater management plan area between October 3, 1994 through October 2, 1995, or within 12 months of the creation of the governmental unit, whichever is later.

(e) Each WQM plan amendment or WQM plan revision that makes or changes alternative assignments of wastewater management plan responsibility under N.J.A.C. 7:15-5.9 shall include a schedule for submission of the corresponding wastewater management plan. This requirement does not apply to automatic expansions of wastewater management plan areas under N.J.A.C. 7:15-5.11(b).

(f) Alternative schedules for submission of wastewater management plans, different from those set forth under (a) through (e) above, shall be established and subsequently changed only if such alternative schedules or changes thereto are adopted as amendments to areawide WQM plans under N.J.A.C. 7:15-3.4, or as revisions to WQM plans under (g) below. Amendments or revisions that change

alternative schedules may establish different alternative schedules, or, where reasonable, may restore schedules set forth under (a) through (e) above. Reasons that may justify the establishment or changing of alternative schedules include, but are not limited to:

1. Coordination of wastewater management plans with the preparation of municipal or county master plans under N.J.S.A. 40:55D-28 or N.J.S.A. 40:27-2, or with reexaminations under N.J.S.A. 40:55D-89;
2. Coordination between adjacent wastewater management plan areas;
3. The need for additional time to perform specific examinations required under N.J.A.C. 7:15-5.18(a)2;
4. Coordination of wastewater management plans with the schedules of the NJPDES programs or of financial assistance programs under N.J.A.C. 7:22; and
5. The need to stagger the submission of wastewater management plans so that the Department can better manage its corresponding workload under N.J.A.C. 7:15-3.4.

(g) With the consent of the Department and the wastewater management planning agency, an alternative schedule for submission of wastewater management plans may be established and changed by a WQM plan revision under N.J.A.C. 7:15-3.5, rather than by a WQM plan amendment under N.J.A.C. 7:15-3.4.

(h) The Department may at any time request a wastewater management planning agency to submit written reports on the progress that such agency is making in meeting its wastewater management plan responsibility. Such agency shall submit such reports to the ORP within 90 calendar days of receiving such requests.

(i) Each wastewater management plan that updates one or more already existing wastewater management plan shall comply with N.J.A.C. 7:15-5.20 and include:

1. Updated maps and descriptions of the then existing wastewater jurisdictions, service areas, and facilities under N.J.A.C. 7:15-5.16;
2. Updated maps of environmental features under N.J.A.C. 7:15-5.17; and
3. Updated maps and descriptions of future wastewater jurisdictions, service areas, and facilities under N.J.A.C. 7:15-5.18, with due regard to changes in factors discussed in that section, such as adoption of new or amended zoning ordinances or municipal or county master plans.

(j) At the written request of a person who seeks a WQM plan amendment that requires a wastewater management plan under N.J.A.C. 7:15-5.1(a), a wastewater management planning agency may submit a wastewater management plan at any time prior to the period when such submission is

required under (b) through (g) above. The establishment of an alternative schedule under (f) or (g) above is not required for such early submission.

Administrative Correction to Table 1 and (d): Inserted correct dates.

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

Administrative Correction to (d): incorporated omitted correction made at 22 N.J.R. 2001(b).

See: 25 N.J.R. 547(a).

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

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

In (h), "ORP" was "BWQP".

#### Case Notes

Staggering submission dates does not give rise to equal protection complaint. *New Jersey Builders Ass'n v. Fenske*, 249 N.J.Super. 60, 591 A.2d 1362 (A.D.1991).

Staggered submission plan is not unconstitutional taking of property. *New Jersey Builders Ass'n v. Fenske*, 249 N.J.Super. 60, 591 A.2d 1362 (A.D.1991).