

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 area-wide 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 Such provisions may not be adopted, amended, or repealed through the WQM plan amendment process under (b)5 below.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)5 below.

3. Statewide Sludge Management Plans, District Sludge Management Plans and sludge management rules that are promulgated or approved by the Department pursuant to N.J.S.A. 13:1E-1 et seq. shall be considered to be part of the Statewide WQM Plan. Such plans and rules shall be promulgated, revised, updated or approved in accordance with N.J.S.A. 13:1E-1 et seq., and shall not be promulgated, revised, updated, or approved through the WQM plan amendment process under (b)5 below.

4. Lists of water quality limited segments, lists of segments where TMDLs will be developed, and project priority lists for TMDL development which are developed

by the Department under N.J.A.C. 7:15-6 shall be adopted as amendments to the Statewide WQM Plan. TMDLs developed in accordance with N.J.A.C. 7:15-7 shall be adopted as amendments to the relevant Areawide WQM Plan(s). However, such lists, and TMDLs shall be adopted or revised in accordance with N.J.A.C. 7:15-6 or 7:15-7, as appropriate, and shall not be adopted or revised through the WQM plan amendment process under (b)5 below. The Department may also publish a draft amendment as an Interested Party Review document or as a pre-proposal prior to formal proposal of the amendment.

5. Components of the Statewide WQM Plan other than (b)1 through 4 above may be amended by using the procedure specified in (g) below, except that the Commissioner shall render the final decision identified in (g)9 below.

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

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

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

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

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

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

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

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

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

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

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

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

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

iii. Decide to proceed further with the amendment request.

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

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

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

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

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

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

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

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

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

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

- i. Reopen or extend the public comment period for no more than 30 additional days to give interested persons an opportunity to comment on the information or arguments submitted;
- ii. Disapprove the proposed amendment and, where applicable, return it to the applicant;
- iii. Return the amendment request to the applicant for necessary, substantial changes. If the applicant then submits a revised amendment request, the Department shall review such request in the same manner as a revised amendment request submitted under (g)2ii above; or

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

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

- i. Adopt the amendment as proposed;
- ii. Adopt the proposed amendment with minor changes that do not effectively destroy the value of the public notice; or
- iii. Disapprove the proposed amendment and, where applicable, return it to the applicant.

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

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

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

(h) For amendments identified in (h)3 below, the Department shall modify the plan amendment procedure specified in (g) above in the manner set forth in (h)1 and 2 below. Except as provided in (h)1 and 2 below, the entire procedure specified in (g) above remains applicable to such amendments.

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

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

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

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

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

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

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

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

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

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

(j) (Reserved)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- Public Notice: The amendment to the Northeast Water Quality Management Plan was adopted.  
See: 18 N.J.R. 1964(a).
- Public Notice: The amendment providing for the elimination of the existing Butler Bloomingdale Wastewater Treatment Plant was adopted.  
See: 18 N.J.R. 1964(b).
- Public Notice: The amendment to increase the Passaic Valley Sewage Authority's Treatment Facility's permitted flow has been adopted.  
See: 18 N.J.R. 1964(c).
- Public Notice: Amendment to the Northeast Water Quality Management Plan has been submitted for approval. This amendment is to allow 1.2 acres of wetlands encroachment for the development of Pension Office Park located in Bernards Township, Somerset County.  
See: 18 N.J.R. 1964(d).
- Public Notice: Amendment to allow for the expansion of the Maple Shade Water Pollution Control Plant was adopted.  
See: 18 N.J.R. 1964(e).
- Public Notice: An amendment to allow the filling of 35,300 square feet of wetlands for two road crossings and gravel driveway easements for the proposed Windsor Forest subdivision in Washington Township, Gloucester County has been adopted.  
See: 18 N.J.R. 1964(f).
- Public Notice: Amendment allowing the expansion of the sewer service area of Warren County to include the Washington Valley Golf course.  
See: 18 N.J.R. 1964(g).
- Public Notice: To inform the public that an amendment has been proposed for the WQM Plan.  
See: 18 N.J.R. 1965(a).
- Public Notice: To expand the Township of Lower Municipal Authority's sewer service area.  
See: 18 N.J.R. 2138(a).
- Public Notice: Allow for the expansion of the Cooper River Interceptor into Berlin Township and Berlin Borough.  
See: 18 N.J.R. 2138(b).
- Public Notice: To expand the Verona Sewage Treatment Plant's sewer service area to accept a small portion of Caldwell and Essex Fells.  
See: 19 N.J.R. 466(a).
- Public Notice: To provide for a Wastewater Management Plan identifying the utilization of individual subsurface systems for wastewater treatment within Upper Township.  
See: 19 N.J.R. 465(e).
- Public Notice: To allow the expansion of its existing advanced wastewater treatment facility located in Bedminster Township, Somerset County.  
See: 19 N.J.R. 569(c).
- Public Notice: To expand the sewer service area in Galloway Township to include Block 891, Lots 3.01, 3.02, 4, 5, 6 and 9, excluding environmentally sensitive areas from the proposed Hampton Inn development.  
See: 19 N.J.R. 569(d).
- Public Notice: To incorporate West Milford's Wastewater Management Plan (1986) into the WQM Plan.  
See: 19 N.J.R. 888(b).
- Public Notice: Permit the construction of a detention basin outlet structure in wetlands for the Washington Valley Golf Course development known as Fairway Estates-Fairway Mews in Washington Township, Warren County.  
See: 19 N.J.R. 888(e).
- Public Notice: Allow for the expansion of a sewer service area in Burlington Township to include the proposed Neck Road development, Block 142, Lot 3.06. The project site will be served by an existing sewer main.  
See: 19 N.J.R. 888(d).
- Public Notice: Provides for a Wastewater Management Plan for West Windsor Township.  
See: 19 N.J.R. 1109(c).
- Public Notice: Addresses the expansion of the existing Chatham Glen Sewage Treatment Plant from .12 million gallons per day to .155 mgd to provide treatment for additional growth as part of a Mount Laurel settlement.  
See: 19 N.J.R. 1109(b).
- Public Notice: Addresses the expansion of the Edgewater Sewage Treatment Plant from 3.0 million gallons per day (mgd) to 6.0 mgd to handle the expected growth of the Borough.  
See: 19 N.J.R. 1109(a).
- Public Notice: Permit abandonment of the Bedens Brook, Bedens Brook Country Club, Sleepy Hollow and Burnt Hill treatment plants.  
See: 19 N.J.R. 1109(d).
- Public Notice: To include a revised and updated version of Map 4-3, the Tri-County sewer service area map.  
See: 19 N.J.R. 1238(a).
- Public Notice: To allow the filling of less than one acre of wetlands for two road crossings for the proposed Sturbridge Woods subdivision located in Voorhees Township, Camden County.  
See: 19 N.J.R. 1238(b).
- Public Notice: To adopt "An Amendment Concerning the Application of Wetlands Policy (Section 4.5.1., Point Source Control: Functional Programs and Agencies)" which would provide for the filling of 4.01 acres of wetlands and a mitigation program at the site of Princeton South at Lawrenceville, Lawrence Township, Mercer County.  
See: 19 N.J.R. 1239(a).
- Public Notice: To adopt "An Amendment Concerning the Application of Wetlands Policy for Horizon Center, Hamilton Township" which would provide for the filling of wetlands of Edges Brook for the construction of a roadway within the proposed development.  
See: 19 N.J.R. 1239(b).
- Public Notice: Allow the new treatment plants to serve the Lakeland Parks Shopping Center, the Metropolitan Developers retail stores, Conway Corporation, and Brass Castle stores as well as a new Musconetcong Basin treatment plant and new Pohatcong Creek treatment plant.  
See: 19 N.J.R. 1239(c).
- Public Notice: To adopt an amendment concerning the Application of Wetlands Policy for Willow Wood, Hamilton Township (Water Quality Management Plan Section 4.5.1).  
See: 19 N.J.R. 1457(a).
- Public Notice: To expand the sewer service area of the Linpro Utilities Company in Plainsboro Township so that it may serve the Plainsboro-West Windsor Middle School on Grovers Mill Road also located in Plainsboro Township.  
See: 19 N.J.R. 1457(b).
- Public Notice: Incorporate the New Hanover Wastewater Management Plan into the Tri-County Water Quality Management Plan.  
See: 19 N.J.R. 1575(b).
- Public Notice: To allow a new industrial treatment facility known as Chatsworth Receiving Station (Ocean Spray Cranberries) located in Woodland Township, Burlington County.  
See: 19 N.J.R. 1575(a).
- Public Notice: To allow the filling of 2.85 acres of wetlands for a road located in Bernards Township, Somerset County for the Cedars Development.  
See: 19 N.J.R. 1574(b).
- Public Notice: Amendment to the Northeast Water Quality Management Plan.  
See: 20 N.J.R. 1296(d).
- Public Notice: Amendment to the Lower Raritan/Middlesex County Water Quality Management Plan.  
See: 20 N.J.R. 1297(c).
- Public Notice: Amendment to the Tri-County Water Quality Management Plan.  
See: 20 N.J.R. 1297(d).
- Public Notice: Amendment to the Atlantic County Water Quality Management Plan.  
See: 21 N.J.R. 1748(a).
- Public Notice: Amendment to Lower Raritan/Middlesex County Water Quality Management Plan.  
See: 21 N.J.R. 1748(b).
- Public Notice: Amendment to the Monmouth County Water Quality Management Plan.  
See: 21 N.J.R. 1748(c).
- Public Notice: Amendment to the Ocean County Water Quality Management Plan.  
See: 21 N.J.R. 1748(d).
- Public Notice: Amendment to the Atlantic County Water Quality Management Plan.



See: 21 N.J.R. 1913(b).  
 Public Notice: Amendment to the Northeast Water Quality Management Plan.  
 See: 21 N.J.R. 1913(c).  
 Public Notice: Amendment to the Upper Raritan Water Quality Management Plan.  
 See: 21 N.J.R. 1913(d).  
 Public Notice: Amendment to the Mercer County Water Quality Management Plan.  
 See: 21 N.J.R. 2132(a).  
 Public Notice: Amendment to the Northeast Water Quality Management Plan.  
 See: 21 N.J.R. 2132(b).  
 Public Notice: Amendment to the Northeast Water Quality Management Plan.  
 See: 21 N.J.R. 2132(c).  
 Public Notice: Amendment to the Upper Delaware Water Quality Management Plan.  
 See: 21 N.J.R. 2133(a).  
 Public Notice: Amendment to the Upper Raritan Water Quality Management Plan.  
 See: 21 N.J.R. 2134(a).  
 Public Notice: Amendment to the Upper Raritan Water Quality Management Plan.  
 See: 21 N.J.R. 2134(b).  
 Public Notice: Amendment to the Upper Raritan Water Quality Management Plan.  
 See: 21 N.J.R. 2134(c).  
 Public Notice: Amendment to the Tri-County Water Quality Management Plan.  
 See: 21 N.J.R. 2134(d).  
 Public Notice: Amendment to Atlantic County Water Quality Management Plan (Egg Harbor Township).  
 See: 21 N.J.R. 2404(a).  
 Public Notice: Amendment to Atlantic County Water Quality Management Plan (Somers Point).  
 See: 21 N.J.R. 2404(b).  
 Public Notice: Amendment to Tri-County Water Quality Management Plan (Moorestown).  
 See: 21 N.J.R. 2404(c).  
 Public Notice: Amendment to Tri-County Water Quality Management Plan (Monroe Township).  
 See: 21 N.J.R. 2404(d).  
 Public Notice: Amendment to the Mercer County Water Quality Management Plan (Hopewell Township).  
 See: 21 N.J.R. 3029(a).  
 Public Notice: Amendment to the Tri-County Water Quality Management Plan (Winslow Township).  
 See: 21 N.J.R. 3029(b).  
 New Rule, R.1989 d.517, effective October 2, 1989.  
 See: 20 N.J.R. 2198(a), 20 N.J.R. 2478(a), 21 N.J.R. 3099(a).  
 Public Notice: Amendment to the Ocean County Water Quality Management Plan.  
 See: 21 N.J.R. 3183(c).  
 Public Notice: Amendment to the Cape May County Water Quality Management Plan.  
 See: 21 N.J.R. 3185(a).  
 Public Notice: Amendment to the Sussex County Water Quality Management Plan.  
 See: 21 N.J.R. 3319(c).  
 Public Notice: Public Hearing on amendment to Northeast Water Quality Management Plan.  
 See: 21 N.J.R. 3319(d).  
 Public Notice: Amendment to the Atlantic County Water Quality Management Plan.  
 See: 21 N.J.R. 3557(b).  
 Public Notice: Amendment to the Atlantic County Water Quality Management Plan.  
 See: 21 N.J.R. 3558(a).  
 Public Notice: Amendment to the Upper Delaware Water Quality Management Plan.  
 See: 21 N.J.R. 3559(a).  
 Public Notice: Amendment to the Ocean County Water Quality Management Plan.

See: 21 N.J.R. 3559(b).  
 Public Notice: Amendment to the Tri-County Water Quality Management Plan.  
 See: 21 N.J.R. 3559(c).  
 Public Notice: Proposed amendment to the Sussex County Water Quality Management Plan.  
 See: 22 N.J.R. 66(a).  
 Public Notice: Proposed amendment to the Ocean County and Tri-County Water Quality Management Plan.  
 See: 22 N.J.R. 66(b).  
 Public Notice: Proposed amendment to the Sussex County Water Quality Management Plan.  
 See: 22 N.J.R. 66(d).  
 Public Notice: Amendment to the Tri-County Water Quality Management Plan.  
 See: 22 N.J.R. 563(a).  
 Public Notice: Amendment to the Tri-County Water Quality Management Plan.  
 See: 22 N.J.R. 563(b).  
 Public Notice: Amendment to the Sussex County Water Quality Management Plan.  
 See: 22 N.J.R. 671(c).  
 Public Notice: Amendment to the Upper Delaware Water Quality Management Plan.  
 See: 22 N.J.R. 671(d).  
 Public Notice: Amendment to the Upper Delaware Water Quality Management Plan.  
 See: 22 N.J.R. 671(b).  
 Public Notice: Amendment to the Mercer County Water Quality Management Plan.  
 See: 22 N.J.R. 862(c).  
 Public Notice: Amendment to the Monmouth County Water Quality Management Plan.  
 See: 22 N.J.R. 862(d).  
 Public Notice: Amendment to the Northeast Water Quality Management Plan.  
 See: 22 N.J.R. 863(a).  
 Public Notice: Amendment to the Ocean County Water Quality Management Plan.  
 See: 22 N.J.R. 863(b).  
 Public Notice: Amendment to the Upper Raritan Water Quality Management Plan.  
 See: 22 N.J.R. 863(c).  
 Public Notice: Amendment to the Atlantic County Water Quality Management Plan.  
 See: 22 N.J.R. 1161(a).  
 Public Notice: Amendment to the Atlantic County Water Quality Management Plan.  
 See: 22 N.J.R. 1161(b).  
 Public Notice: Proposed amendment to the Upper Raritan Water Quality Management Plan.  
 See: 22 N.J.R. 1161(d).  
 Public Notice: Proposed amendment to the Mercer County Water Quality Management Plan.  
 See: 22 N.J.R. 1161(c).  
 Public Notice: Amendment to the Atlantic County Water Quality Management Plan.  
 See: 22 N.J.R. 1275(b).  
 Public Notice: Amendment to the Tri-County Water Quality Management Plan for Gloucester County.  
 See: 22 N.J.R. 1386(a).  
 Public Notice: Amendment to the Tri-County Water Quality Management Plan for Jackson Township.  
 See: 22 N.J.R. 1386(b).  
 Public Notice: Amendment to the Tri-County Water Quality Management Plan for Mullica River Basin.  
 See: 22 N.J.R. 1386(c).  
 Public Notice: Amendment to the Tri-County Water Quality Management Plan for Ocean County.  
 See: 22 N.J.R. 1386(d).  
 Public Notice: Amendment to the Tri-County Water Quality Management Plan for Shamong Township.  
 See: 22 N.J.R. 1386(e).

- Public Notice: Amendment to the Tri-County Water Quality Management Plan for Stafford Township.  
 See: 22 N.J.R. 1386(f).
- Public Notice: Amendment to the Tri-County Water Quality Management Plan for Warren County.  
 See: 22 N.J.R. 1387(a).
- Public Notice: Amendment to the Tri-County Water Management Plan located in Harrison Township.  
 See: 22 N.J.R. 1632(e).
- Public Notice: Amendment to the Lower Raritan/Middlesex County Water Quality Management Plan in Plainsboro Township.  
 See: 22 N.J.R. 1633(f).
- Public Notice: Amendment to the Lower Raritan/Middlesex County Water Quality Management Plan in South Brunswick Township.  
 See: 22 N.J.R. 1633(a).
- Public Notice: Amendment to the Ocean County and Tri-County Quality Management Plans in Plumstead Township.  
 See: 22 N.J.R. 1633(b).
- Public Notice: Amendment to the Sussex County Water Quality Management Plan in Sussex County.  
 See: 22 N.J.R. 1633(c).
- Public Notice: Amendment to the Tri-County Water Quality Management Plan in Evesham Township.  
 See: 22 N.J.R. 1785(b).
- Public Notice: Amendment to the Upper Raritan, Northeast and Lower Raritan/Middlesex County Water Quality Management Plans.  
 See: 22 N.J.R. 1785(a).
- Public Notice: Adoption of a Wastewater Management Plan for Allamuchy Township.  
 See: 22 N.J.R. 1948(c).
- Public Notice: Amendment to the Tri-County Water Quality Management Plan in Bordentown Township.  
 See: 22 N.J.R. 1949(a).
- Public Notice: Amendment to the Cape May Water Quality Management Plan.  
 See: 22 N.J.R. 1949(c).
- Public Notice: Expansion of the Evesham Township (Kings Grant Sewage Treatment Plant) Burlington County.  
 See: 22 N.J.R. 1949(b).
- Public Notice: New wastewater treatment plant to serve the High Point Country Club.  
 See: 22 N.J.R. 1947(d).
- Public Notice: Amendment for Lafayette Township Wastewater Management Plan.  
 See: 22 N.J.R. 1948(a).
- Public Notice: Amendment to transfer an eight acre parcel of land in the City of Vineland to the City of Millville sewer Utility service area.  
 See: 22 N.J.R. 1948(d).
- Public Notice: Incorporate Wanaque Borough's Wastewater Management Plan into the Northeast WQM Plan.  
 See: 22 N.J.R. 1948(b).
- Public Notice: Pass through Grant Program.  
 See: 22 N.J.R. 2041(b).
- Public Notice: Expansion of the Gloucester County Utility Authority's sewer service.  
 See: 22 N.J.R. 2042(c).
- Public Notice: Changes to Roxbury Township Wastewater Treatment Plan.  
 See: 22 N.J.R. 2042(b).
- Public Notice: Changes to the Upper Delaware Water Quality Management Plan.  
 See: 22 N.J.R. 2042(a).
- Public Notice: Changes to Clinton Township Wastewater Management Plan.  
 See: 22 N.J.R. 2188(a).
- Public Notice: Updated Montgomery Township Wastewater Management Plan.  
 See: 22 N.J.R. 2188(c).
- Public Notice: Adopt a Wastewater Management Plan for Manville Borough, Somerset County.  
 See: 22 N.J.R. 2188(b).
- Public Notice: Amendment to the Bedminster Township Sewage Treatment Plan.  
 See: 22 N.J.R. 2365(c).
- Public Notice: Amendment to the Cape May County wastewater Treatment Plan.  
 See: 22 N.J.R. 2365(b).
- Public Notice: Amendment to the Princeton Township and Princeton Borough wastewater Treatment Plan.  
 See: 22 N.J.R. 2365(a).
- Public Notice: Amendment to Mercer County Water Quality Management Plan.  
 See: 22 N.J.R. 2606(c).
- Public Notice: Amendment to Moorestown Township Wastewater Management Plan.  
 See: 22 N.J.R. 2606(e).
- Public Notice: Amendment to Ocean County Water Quality Management Plan.  
 See: 22 N.J.R. 2606(d).
- Public Notice: Amendment to the Northeast Water Quality Management Plan for the Northwest Bergen County.  
 See: 22 N.J.R. 3054(c).
- Public Notice: Amendment to expand the sewer service area of the Evesham Municipal Utility Authority.  
 See: 22 N.J.R. 3055(a).
- Public Notice: Amendment to the Wastewater Management Plan for Greenwich Township, Warren County.  
 See: 22 N.J.R. 3055(b).
- Public Notice: Amendment to the Monmouth County Water Quality Management Plan.  
 See: 22 N.J.R. 3054(b).
- Public Notice: Amendment to the Sussex County Water Quality Management Plan.  
 See: 22 N.J.R. 3054(d).
- Public Notice: Amendment to the Lower Delaware Water Quality Management Plan in the City of Vineland.  
 See: 22 N.J.R. 3165(d).
- Public Notice: Amendment to the Upper Delaware Water Quality Management Plan in Warren County.  
 See: 22 N.J.R. 3255(b).
- Public Notice: Amendment to the Upper Raritan Water Quality Management Plan in Montgomery Township.  
 See: 22 N.J.R. 3255(c).
- Public Notice: Amendment to the Upper Raritan Water Quality Management Plan in Roxbury Township.  
 See: 22 N.J.R. 3255(d).
- Public Notice to amend the Atlantic County Water Quality Management Plan.  
 See: 22 N.J.R. 3403(d).
- Public Notice to amend the Tri-County Water Quality Management Plan in Burlington Township.  
 See: 22 N.J.R. 3405(b).
- Public Notice to amend the Mercer County Water Quality Management Plan.  
 See: 22 N.J.R. 3404(b).
- Public Notice to amend the Monmouth County Water Quality Management Plan.  
 See: 22 N.J.R. 3404(c).
- Public Notice to amend the Lower Raritan/Middlesex County Water Quality Management Plan.  
 See: 22 N.J.R. 3404(a).
- Public Notice to amend the Water Quality Management Plan in Sparta Township.  
 See: 22 N.J.R. 3405(a).
- Public Notice to amend the Water Quality Management Plan in Harmony Township, Warren County.  
 See: 22 N.J.R. 3405(c).
- Public Notice to amend a Wastewater Management Plan for Warren Township.  
 See: 22 N.J.R. 3404(d).
- Public Notice to amend the Water Quality Management Plan in Cape May County.  
 See: 22 N.J.R. 3592(a).
- Public Notice to amend the Water Quality Management Plan in Woodstown Borough.  
 See: 22 N.J.R. 3592(b).
- Public Notice to amend a Wastewater Management Plan for the Borough of Far Hills.

See: 22 N.J.R. 3646(d).  
Public Notice to adopt a Wastewater Management Plan for Manville Borough.

See: 22 N.J.R. 3646(c).  
Public Notice to amend the Wastewater Management Plan for Moorestown Township.

See: 22 N.J.R. 3646(e).  
Public Notice to adopt a Wastewater Management Plan for Oakland Borough.

See: 22 N.J.R. 3646(b).  
Public Notice to amend the Statewide Water Quality Management Planning rules in Sussex County.

See: 22 N.J.R. 3647(a).  
Public Notice to allow for expansion of the Medford Lakes Borough sewer service area.

See: 22 N.J.R. 3882(c).  
Public Notice to amend the Holmdel Corporate Office Center Water Quality Management Plan.

See: 22 N.J.R. 3882(b).  
Public Notice to allow for expansion of the Koelle Boulevard Sewage Treatment Plant in Secaucus.

See: 22 N.J.R. 3882(a).  
Public Notice to expand the Bordentown Township sewer service area.

See: 23 N.J.R. 128(c).  
Public Notice to amend the Northeast Water Quality Management Plan for Caldwell Borough.

See: 23 N.J.R. 126(c).  
Public Notice to amend sand and gravel mining operations in Fairfield Township, Cumberland County.

See: 23 N.J.R. 127(c).  
Public Notice to adopt a Wastewater Management Plan for Tewksbury Township, Hunterdon County.

See: 23 N.J.R. 128(a).  
Public Notice to propose a seventh and eighth grade school in Manalapan Township.

See: 23 N.J.R. 128(b).  
Public Notice to incorporate the Northwest Bergen County Utilities Authority Wastewater Management Plan.

See: 23 N.J.R. 126(b).  
Public Notice to amend the Water Quality Management Plan in Sussex County.

See: 23 N.J.R. 127(b).  
Public Notice to amend the Upper Delaware Water Quality Management Plan in Greenwich Township, Warren County.

See: 23 N.J.R. 127(a).  
Public Notice to amend the Sussex County Water Quality Management Plan in Jefferson Township.

See: 23 N.J.R. 222(d).  
Public Notice to amend the Upper Delaware Water Quality Management Plan in Blairstown Township, Warren County.

See: 23 N.J.R. 222(b).  
Public Notice to amend the Upper Delaware Water Quality Management Plan in Harmony Township, Warren County.

See: 23 N.J.R. 222(c).  
Public Notice to amend the Lower Raritan/Middlesex County Water Quality Management Plan.

See: 23 N.J.R. 317(a).  
Public Notice to amend the Lower Raritan/Middlesex County Water Quality Management Plan.

See: 23 N.J.R. 317(b).  
Public Notice to amend the Upper Delaware Water Quality Management Plan.

See: 23 N.J.R. 316(c).  
Public Notice to amend the Atlantic County Water Quality Management Plan.

See: 23 N.J.R. 622(d).  
Public Notice to amend the Cape May County Water Quality Management Plan.

See: 23 N.J.R. 622(e).  
Public Notice to amend the Water Quality Management Plan in Cumberland County.

See: 23 N.J.R. 622(f).  
Public Notice to amend the Upper Delaware Water Quality Management Plan.

See: 23 N.J.R. 623(a).  
Public Notice to amend the Upper Raritan Water Quality Management Plan.

See: 23 N.J.R. 623(b).  
Public Notice to amend the Burlington County Tri-County Quality Management Plan.

See: 23 N.J.R. 778(c).  
Public Notice to amend the Caldwell Borough Water Quality Management Plan.

See: 23 N.J.R. 777(d).  
Public Notice to amend the Morris County Water Quality Management Plan.

See: 23 N.J.R. 778(d).  
Public Notice to amend the Northeast Water Quality Management Plan.

See: 23 N.J.R. 777(b).  
Public Notice to amend the Somerset County Water Quality Management Plan.

See: 23 N.J.R. 778(b).  
Public Notice to amend the Sussex County Water Quality Management Plan.

See: 23 N.J.R. 778(a).  
Public Notice to amend the Monmouth County Water Quality Management Plan.

See: 23 N.J.R. 910(c).  
Public Notice to amend the Northeast Water Quality Management Plan in Oakland.

See: 23 N.J.R. 910(b).  
Public Notice to amend the Tri-County Water Quality Management Plan in Winslow Township.

See: 23 N.J.R. 909(c).  
Public Notice to amend the Tri-County Water Quality Management Plan in Winslow Township.

See: 23 N.J.R. 910(a).  
Public Notice to amend the water quality management plan in Florham Park.

See: 23 N.J.R. 1033(b).  
Public Notice to amend the water quality management plan in Manalapan Township.

See: 23 N.J.R. 1033(d).  
Public Notice to amend the water quality management plan in Morris County.

See: 23 N.J.R. 1034(a).  
Public Notice to amend the water quality management plan in Pequannock River Basin.

See: 23 N.J.R. 1033(c).  
Public Notice to amend the water quality management plan in Essex and Union Counties.

See: 23 N.J.R. 1202(c).  
Public Notice to amend the water quality management plan in Hunterdon County.

See: 23 N.J.R. 1202(d).  
Public Notice to amend the water quality management plan in Monmouth County.

See: 23 N.J.R. 1203(d).  
Public Notice to amend the water quality management plan in Monmouth County.

See: 23 N.J.R. 1204(a).  
Public Notice to amend the water quality management plan in Ocean County.

See: 23 N.J.R. 1204(b).  
Public Notice to amend the water quality management plan in Phillipsburg.

See: 23 N.J.R. 1203(b).  
Public Notice to amend the water quality management plan in Upper Raritan.

See: 23 N.J.R. 1203(c).  
Public Notice to amend the water quality management plan in Warren County.

See: 23 N.J.R. 1203(a).  
Public Notice: Amend the Mercer County Water Quality Management Plan.

See: 23 N.J.R. 1466(d).



- Public Notice: Amend the Water Quality Management Plan in Salem County.  
 See: 23 N.J.R. 1466(c).  
 Public Notice: Amend the Northeast Water Quality Management Plan in Secaucus Town.  
 See: 23 N.J.R. 1465(c).  
 Public Notice: Amend the Sussex County Water Quality Management Plan.  
 See: 23 N.J.R. 1466(a).  
 Public Notice: Amend the Upper Delaware Water Quality Management Plan in Warren County.  
 See: 23 N.J.R. 1466(b).  
 Public Notice: Amend the Raritan/Middlesex Water Quality Management Plan.  
 See: 23 N.J.R. 1706(e).  
 Public Notice: Amend the Northeast Water Quality Management Plan in Ringwood Borough.  
 See: 23 N.J.R. 1706(d).  
 Public Notice: Amend the Sussex County Water Quality Management Plan.  
 See: 23 N.J.R. 1706(f).  
 Public Notice: Amend the Harrison Township, Gloucester County Tri-County Water Quality Management Plan.  
 See: 23 N.J.R. 1829(c).  
 Public Notice: Amend the Lower Delaware Water Quality Management Plan.  
 See: 23 N.J.R. 1829(d).  
 Public Notice: Amend the Cape May Water Quality Management Plan.  
 See: 23 N.J.R. 1830(a).  
 Public Notice: Amend the Lower Raritan/Middlesex County Water Quality Management Plan.  
 See: 23 N.J.R. 1968(b).  
 Public Notice: Amend the Princeton Township, Mercer County Water Quality Management Plan.  
 See: 23 N.J.R. 1968(c).  
 Public Notice: Amend the Washington Township, Morris County Water Quality Management Plan.  
 See: 23 N.J.R. 1968(d).  
 Public Notice: Amend the water quality management plan in Holmdel Township.  
 See: 23 N.J.R. 2061(d).  
 Public Notice: Amend the sewage treatment plan in Waterford Township.  
 See: 23 N.J.R. 2062(b).  
 Public Notice: Amend the regional sewage treatment plan in West Deptford Township.  
 See: 23 N.J.R. 2062(c).  
 Public Notice: Amend the Tri-County Water Quality Management Plan in Winslow Township.  
 See: 23 N.J.R. 2062(a).  
 Public Notice: Allow the expansion of the Bedminster Township wastewater treatment plant.  
 See: 23 N.J.R. 2189(c).  
 Public Notice: Identify a discharge to groundwater treatment facility in Clinton Township.  
 See: 23 N.J.R. 2190(a).  
 Public Notice: Amend the Lower Delaware Water Quality Management Plan in Deerfield Township.  
 See: 23 N.J.R. 2188(b).  
 Public Notice: Amendment to the Tri-County Water Quality Management Plan in Fort Dix and McGuire Air Force Base.  
 See: 23 N.J.R. 2189(a).  
 Public Notice: Amendment to propose designation the site of Due Process Golf Course, in Colts Neck.  
 See: 23 N.J.R. 2187(d).  
 Public Notice: Expansion of the Cumberland County to expand its on-site groundwater disposal system in Hopewell Township.  
 See: 23 N.J.R. 2188(c).  
 Public Notice: Amend the Ocean County Water Quality Management Plan in Jackson Township.  
 See: 23 N.J.R. 2188(a).  
 Public Notice: Amendment to adopt a wastewater management plan in Readington Township, Borough of Lebanon.  
 See: 23 N.J.R. 2190(b).  
 Public Notice: Amendment to expand the sewer service area of Phillipsburg.  
 See: 23 N.J.R. 2189(b).  
 Public Notice: Amend the Upper Raritan Water Quality Management Plan in Tewksbury Township.  
 See: 23 N.J.R. 2189(d).  
 Public Notice: Amendment to develop a new on-site groundwater disposal system in West Milford Township.  
 See: 23 N.J.R. 2190(c).  
 Public Notice: Amend the Cape May County Water Quality Management Plan.  
 See: 23 N.J.R. 2428(a).  
 Public Notice: Amend the Essex and Union Counties Northeast water quality management plan.  
 See: 23 N.J.R. 2429(b).  
 Public Notice: Amend the Frelinghuysen Township, Warren County, Upper Delaware water quality management plan.  
 See: 23 N.J.R. 2429(d).  
 Public Notice: Amend the Haleyville Elementary School, Lower Delaware water quality management plan.  
 See: 23 N.J.R. 2429(e).  
 Public Notice: Amend the Harrison Township, Tri-County water quality management plan.  
 See: 23 N.J.R. 2430(a).  
 Public Notice: Amend the Egg Harbor Township, Ocean County water quality management plan.  
 See: 23 N.J.R. 2428(d).  
 Public Notice: Amend the Mansfield Township, Tri-County water quality management plan.  
 See: 23 N.J.R. 2430(c).  
 Public Notice: Amend the Monmouth County water quality management plan.  
 See: 23 N.J.R. 2428(e).  
 Public Notice: Amend the Mount Holly Sewage Authority, Tri-County water quality management plan.  
 See: 23 N.J.R. 2430(b).  
 Public Notice: Amend the Pequannock River Basin, Northeast water quality management plan.  
 See: 23 N.J.R. 2429(a).  
 Public Notice: Amend the Raritan Township, Upper Raritan water quality management plan.  
 See: 23 N.J.R. 2529(c).  
 Public Notice: Amend the Mount Olive Township, Upper Raritan water quality management plan.  
 See: 23 N.J.R. 2545(b).  
 Public Notice: Amend the Ocean Township, Ocean County water quality management plan.  
 See: 23 N.J.R. 2545(d).  
 Public Notice: Amend the Upper Raritan and Upper Delaware water quality management plan.  
 See: 23 N.J.R. 2545(c).  
 Public Notice: New on-site groundwater disposal system in Sparta Township, Sussex County.  
 See: 23 N.J.R. 2784(d).  
 Public Notice: New on-site groundwater disposal system in Randolph Township, Morris County.  
 See: 23 N.J.R. 2784(c).  
 Public Notice: To amend the wastewater management plan for Washington Township, Mercer County.  
 See: 23 N.J.R. 2784(b).  
 Public Notice: To amend the Hardyston Township wastewater management plan in Sussex County.  
 See: 23 N.J.R. 2882(b).  
 Public Notice: Amend the Mansfield Township Wastewater Management Plan.  
 See: 23 N.J.R. 3180(a).  
 Public Notice: To adopt a wastewater management plan for the Pequannock, Lincoln Park and Fairfield sewerage authority.  
 See: 23 N.J.R. 3179(c).  
 Public Notice: Amend the tri-county water quality management plan for Fort Dix and McGuire Air Force Base.  
 See: 23 N.J.R. 3387(d).  
 Public Notice: Amend the Upper Raritan water quality management plan in Hillsboro Township.

- See: 23 N.J.R. 3387(a).  
Public Notice: Amend the Upper Delaware and Upper Raritan water quality management plans in West Amwell Township, Hunterdon County.
- See: 23 N.J.R. 3387(b).  
Public Notice: Amend the Mercer County water quality management plan in Borough of Hopewell, Mercer County.
- See: 23 N.J.R. 3386(d).  
Public Notice: Amend the Mercer County water quality management plan in the Borough of Pennington, Mercer County.
- See: 23 N.J.R. 3386(c).  
Public Notice: Amend the Ocean County water quality management plan in Stafford Township.
- See: 23 N.J.R. 3387(e).  
Public Notice: Amend the Sussex County water quality management plan in Sussex County.
- See: 23 N.J.R. 3387(c).  
Public Notice: Amend the Atlantic County water quality management plan in Mullica Township, Atlantic County.
- See: 23 N.J.R. 3535(b).  
Public Notice: Amend the Northeast water quality management plan in West Milford Township, Passaic County.
- See: 23 N.J.R. 3535(c).  
Public Notice: Amend the Lower Delaware water quality management plan in Cumberland County.
- See: 23 N.J.R. 3658(c).  
Public Notice: Amend the Upper Raritan water quality management plan in Readington Township.
- See: 23 N.J.R. 3658(b).  
Public Notice: Amend the Tri-County water quality management plan in Elk Township, Gloucester County.
- See: 23 N.J.R. 3826(c).  
Public Notice: Amend the Sussex County water quality management plan in Fredon Township.
- See: 23 N.J.R. 3826(a).  
Public Notice: Amend the Monmouth County water quality management plan.
- See: 23 N.J.R. 3626(b).  
Public Notice: Amend the Northeast water quality plan in Florham Park.
- See: 24 N.J.R. 147(c).  
Public Notice: Amend the Monmouth County water quality management plan in Wall Township.
- See: 24 N.J.R. 148(a).  
Public Notice: Amend the Lower Raritan/Middlesex County water quality management plan in Monroe Township and parts of Cranbury Township.
- See: 24 N.J.R. 148(b).  
Public Notice: Amend the Lower Delaware water quality management plan in Hopewell Township, Cumberland County.
- See: 24 N.J.R. 148(c).  
Public Notice: Amend the Tri-County water quality management plan in Easthampton, Hainesport, Mount Holly, Lumberton and Westhampton Townships.
- See: 24 N.J.R. 149(a).  
Public Notice: Amend the Lower Delaware water quality management plan in Oldmans Township, Salem County.
- See: 24 N.J.R. 149(b).  
Public Notice: Amend the Upper Delaware water quality management plan in Harmony Township.
- See: 24 N.J.R. 149(c).  
Public Notice: Amend the Upper Raritan water quality management plan.
- See: 24 N.J.R. 149(d).  
Public Notice: Amend the Tri-County water quality management plan in Logan Township, Gloucester County.
- See: 24 N.J.R. 655(a).  
Public Notice: Amend the Lower Delaware water quality management plan in Upper Pittsgrove Township, Salem County.
- See: 24 N.J.R. 654(c).  
Public Notice: Amend the Tri-County water quality management plan in Winslow Township, Camden County.
- See: 24 N.J.R. 655(b).  
Public Notice: Amend the Cape May County water quality management plan in Lower Township.
- Public Notice: Sussex County water quality management in Sparta Township.
- See: 24 N.J.R. 867(b).  
Public Notice: Upper Delaware water quality management in Franklin Township.
- See: 24 N.J.R. 867(c).  
Public Notice: Upper Raritan water quality management in Somerset Township.
- See: 24 N.J.R. 867(d).  
Public Notice: Amend the Lower Delaware water quality management plan in Deerfield Township, Cumberland County.
- See: 24 N.J.R. 1123(e).  
Public Notice: Amend the Upper Raritan water quality management plan in Clinton Township.
- See: 24 N.J.R. 1123(d).  
Public Notice: Amend the Ocean County water quality management plan in Jackson Township.
- See: 24 N.J.R. 1123(b).  
Public Notice: Amend the Sussex County water quality management plan in the Borough of Hopatcong.
- See: 24 N.J.R. 1124(a).  
Public Notice: Amend the Ocean County water quality management plan in Stafford Township.
- See: 24 N.J.R. 1123(a).  
Public Notice: Amend the Upper Raritan water quality management plan in Hillsborough Township.
- See: 24 N.J.R. 1123(c).  
Public Notice: Amend the Northeast water quality management plan in West Caldwell Township.
- See: 24 N.J.R. 1643(d).  
Public Notice: Amend the Upper Delaware water quality management plan in Franklin Township.
- See: 24 N.J.R. 2082(b).  
Public Notice: Amend the Sussex water quality management plan in Jefferson Township.
- See: 24 N.J.R. 2081(c).  
Public Notice: Amend the Mercer County water quality management plan in the Borough of Hopewell.
- See: 24 N.J.R. 2082(c).  
Public Notice: Amend the Sussex water quality management plan in Frankford Township.
- See: 24 N.J.R. 2081(d).  
Public Notice: Amend the Northeast and Sussex water quality management plans in Jefferson Township.
- See: 24 N.J.R. 2082(a).  
Public Notice: Amend the Northeast water quality management plan in Chatham Township.
- See: 24 N.J.R. 2299(c).  
Public Notice: Amend the Monmouth County water quality management plan in Township of Holmdel.
- See: 24 N.J.R. 2300(a).  
Public Notice: Amend the Lower Delaware water quality management plan in the City of Millville, Cumberland County.
- See: 24 N.J.R. 2301(a).  
Public Notice: Amend the Tri-County water quality management plan in Logan Township.
- See: 24 N.J.R. 2300(c).  
Public Notice: Amend the Northeast water quality management plan in Pompton Lakes.
- See: 24 N.J.R. 2631(d).  
Public Notice: Amend the Sussex water quality management plan in Wantage Township.
- See: 24 N.J.R. 2740(a).  
Public Notice: Amend the Mercer County water quality management plan in Washington Township.
- See: 24 N.J.R. 2739(d).  
Public Notice: Amend the Mercer County water quality management plan in Hightstown Borough.
- See: 24 N.J.R. 2739(c).  
Public Notice: Amend the Tri-County water quality management plan in City of Bordentown.
- See: 24 N.J.R. 2739(b).  
Public Notice: Amend the Cape May County water quality management plan in Lower Township.

- See: 24 N.J.R. 2958(b).  
 Public Notice: Amend the Upper Raritan water quality management plan in Bedminster Township, Borough of Far Hills and Bernards.  
 See: 24 N.J.R. 2957(a).  
 Public Notice: Amend the Lower Delaware water quality management plan in the City of Millville.  
 See: 24 N.J.R. 2958(a).  
 Public Notice: Amend the Monmouth County water quality management plan in the Borough of Tinton Falls.  
 See: 24 N.J.R. 2957(c).  
 Public Notice: Amend the Tri-County water quality management plan in West Deptford Township in Gloucester County.  
 See: 24 N.J.R. 2957(d).  
 Public Notice: Amend the Monmouth County water quality management plan in Colts Neck.  
 See: 24 N.J.R. 3177(b).  
 Public Notice: Amend the Monmouth County water quality management plan in the Township of Middletown, the Boroughs of Atlantic Highlands and Highlands.  
 See: 24 N.J.R. 3177(a).  
 Public Notice: Amend the Monmouth County water quality management plan in Marlboro Township.  
 See: 24 N.J.R. 3442(a).  
 Public Notice: Amend the Monmouth County water quality management plan in Holmdel Township.  
 See: 24 N.J.R. 3422(b).  
 Public Notice: Amend the Sussex water quality management plan in Frankford Township.  
 See: 24 N.J.R. 3442(c).  
 Public Notice: Amend the Sussex water quality management plan in Montague Township.  
 See: 24 N.J.R. 3442(d).  
 Public Notice: Amend the Ocean County water quality management plan for Great Adventure.  
 See: 24 N.J.R. 3441(c).  
 Public Notice: Amend the Northeast water quality plan in Chatham Township.  
 See: 24 N.J.R. 3562(b).  
 Public Notice: Amend the Northeast water quality plan in Floram Park.  
 See: 24 N.J.R. 3562(c).  
 Public Notice: Amend the Sussex water quality management plan in Sparta Township.  
 See: 24 N.J.R. 3562(a).  
 Public Notice: Amend the Northeast water quality plan in Cliffside Park, Fort Lee, Washington Township and Rockleigh Borough.  
 See: 24 N.J.R. 3768(a).  
 Public Notice: Amend the Tri-County water quality management plan in Moorestown Township and Mount Laurel.  
 See: 24 N.J.R. 3769(a).  
 Public Notice: Amend the Monmouth County water quality management plan for the Boroughs of Belmar, South Belmar, Spring Lake, Spring Lake Heights, Sea Girt, Manasquan, Brielle and Township of Wall.  
 See: 24 N.J.R. 3768(c).  
 Public Notice: Amend the Northeast water quality plan for Pompton Lakes Borough.  
 See: 24 N.J.R. 3768(b).  
 Public Notice: Amend the Monmouth County water quality management plan for the Boroughs of Belmar, South Belmar, Spring Lake, Spring Lake Heights, Sea Girt, Manasquan, Brielle and Township of Wall.  
 See: 24 N.J.R. 3768(c).  
 Public Notice: Amend the Northeast water quality plan for Pompton Lakes Borough.  
 See: 24 N.J.R. 3768(b).  
 Public Notice: Amend the Monmouth County water quality management plan in Freehold and Farmingdale Boroughs, Howell Township, Freehold Township and western Wall Township.  
 See: 24 N.J.R. 4421(b).  
 Public Notice: Amend the Monmouth County water quality management plan in Colts Neck Township.  
 See: 24 N.J.R. 4422(a).  
 Public Notice: Invalidation of restrictions on development of freshwater wetlands pursuant to *New Jersey Chapter of the National Association of Industrial and Office Parks v. New Jersey Department of Environmental Protection*, 241 N.J.Super. 145, certif. den. 122 N.J. 374 (1990).  
 See: 24 N.J.R. 4421(a).  
 Public Notice: Amend the Northeast quality management plan: Shops at Primrose Brook.  
 See: 24 N.J.R. 4420(a).  
 Public Notice: Amend the Tri-County water quality management plan in West Deptford Township.  
 See: 25 N.J.R. 600(c).  
 Public Notice: Amend the Ocean County water quality management plan in Stafford Township.  
 See: 25 N.J.R. 601(a).  
 Public Notice: Amend the Upper Delaware water quality management plan in the Town of Phillipsburg, Borough of Alpha, Pohatcong Township and Lopatcong Township.  
 See: 25 N.J.R. 600(b).  
 Public Notice: Amend the Monmouth County water quality management in Marlboro Township.  
 See: 25 N.J.R. 722(b).  
 Amended by R.1993, d.59, effective February 1, 1993.  
 See: 24 N.J.R. 344(b), 25 N.J.R. 547(a).  
 In (d), (g) and (h), "written statement(s) of consent" were "endorsement(s)" or "endorse". Added subsection (l); consistency revisions throughout.  
 Public Notice: Amend the Sussex water quality management plan in Sussex Borough and Hardyston Township.  
 See: 25 N.J.R. 1287(a).  
 Public Notice: Amend the Lower Raritan/Middlesex County water quality management plan.  
 See: 25 N.J.R. 1286(b).  
 Public Notice: Amend the Cape May County water quality management plan in Middle Township.  
 See: 25 N.J.R. 1284(b).  
 Public Notice: Amend the Upper Raritan water quality management plan in the Borough of Peapack and Gladstone.  
 See: 25 N.J.R. 1286(c).  
 Public Notice: Amend the Monmouth County water quality management plan in the Township of Colts Neck.  
 See: 25 N.J.R. 1286(a).  
 Public Notice: Amend the Tri-County water quality management plan in the Moorestown Township.  
 See: 25 N.J.R. 1580(b).  
 Public Notice: Amend the Upper Raritan water quality management plan transferring management to Somerset County Board of Chosen Freeholders.  
 See: 25 N.J.R. 1580(a).  
 Public Notice: Amend the Sussex water quality management plan in Sparta Township.  
 See: 25 N.J.R. 1579(b).  
 Public Notice: Amend the Northeast water quality management plans in Wanakee Borough.  
 See: 25 N.J.R. 1579(c).  
 Public Notice: Amend the Tri-County water quality management plan in the Medford Township.  
 See: 25 N.J.R. 1783(a).  
 Public Notice: Amend the Upper Delaware water quality management plan in Blairstown Township.  
 See: 25 N.J.R. 1782(b).  
 Public Notice: Amend the Sussex County water quality management plans in Jefferson Township.  
 See: 25 N.J.R. 1781(b).  
 Public Notice: Amend the Upper Delaware water quality management plan in Lopatcong Township.  
 See: 25 N.J.R. 1782(a).  
 Public Notice: Amend the Ocean County water quality management plan in Plumstead Township.  
 See: 25 N.J.R. 2595(c).  
 Public Notice: Amend the Monmouth County water quality management plan in Millstone Township.  
 See: 25 N.J.R. 2596(a).

Public Notice: Amend the Monmouth County water quality management plan in Wall Township.

See: 25 N.J.R. 2596(b).

Public Notice: Amend the Tri-County water quality management plan in City and Township of Bordentown.

See: 25 N.J.R. 2772(b).

Public Notice: Amend the Northeast water quality management plan in Wanaque Borough.

See: 25 N.J.R. 2774(c).

Public Notice: Amend the Mercer County water quality management plan in West Windsor Township.

See: 25 N.J.R. 2774(b).

Public Notice: Amend the Mercer County water quality management plan in East Windsor Township.

See: 25 N.J.R. 2774(a).

Public Notice: Amend the Tri-County water quality management plan in Bordentown Township.

See: 25 N.J.R. 2772(c).

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

See: 25 N.J.R. 3242(b).

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

See: 25 N.J.R. 3563(b), 3563(c), 3866(b), 3866(c), 3866(d), 3866(e).

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

See: 25 N.J.R. 4335(a), 4336(a), 4518(b).

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

See: 25 N.J.R. 4675(d).

Public Notice: Amendments to Northeast Water Quality Management Plan.

See: 25 N.J.R. 4961(b), 5363(d).

Public Notice: Amendments to regional water quality management plans.

See: 25 N.J.R. 6063(c), 6064(a).

Public Notice: Amendments to county water quality management plans.

See: 26 N.J.R. 258(c), 258(d), 258(e).

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

See: 26 N.J.R. 858(c), 1161(b), 1161(c), 1251(c), 1252(a), 1723(d), 1724(a), 1886(a), 1886(b), 1886(c), 1887(a), 2149(b), 2150(b), 2151(a), 2151(b), 2483(a), 2484(a), 2484(b), 2485(b), 2676(c), 2677(a), 2807(c), 2812(a), 3215(d), 3489(a), 3897(b), 4103(b), 4218(b), 4218(c), 4450(b), 4834(d).

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

See: 27 N.J.R. 244(c), 391(b), 392(a), 588(b), 769(d), 770(a), 945(b), 1319(b), 1478(a), 2266(a), 2267(a), 2267(b), 2629(c), 2630(b), 3488(a), 3635(a), 3635(b), 3635(c), 3845(b), 3845(c), 4011(d), 4012(a), 4012(b), 4012(c), 4919(a), 5055(c), 5056(a).

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

See: 28 N.J.R. 295(b), 1076(b), 1313(b), 1407(a), 1407(b), 1407(c), 1408(a), 1563(c), 1564(a), 2083(b), 2085(a), 2086(a), 2411(c), 2631(a), 2631(b), 2632(a), 2632(b), 3016(a), 3471(b), 3472(a), 3472(b), 3472(c), 3674(c), 3977(a), 3977(b), 4119(a), 4274(b), 4523(b), 4524(b), 4525(a), 4809(b), 5500(b), 5501(a).

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

See: 29 N.J.R. 510(b), 510(c), 511(a), 704(b), 947(a), 2186(a), 2481(c), 2715(a), 3086(b), 3087(a), 3364(a), 3505(a), 3741(c), 3901(a), 4194(b), 4194(c), 4195(a), 4342(c), 4571(a), 5026(b), 5027(a).

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

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

Amended section references throughout (b); added new (b)4; reclassified former (b)4 as (b)5; and deleted (j), which incorporated specified USEPA provisions into WQM plans.

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

See: 30 N.J.R. 240(c), 241(a), 242(a), 242(b), 494(b), 571(a), 738(b), 739(b).

#### Case Notes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **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) In accordance with N.J.A.C. 7:15-3.4(b)1, the water quality related provisions of N.J.A.C. 7:7E, including but not limited to N.J.A.C. 7:7E-8.4, are part of the Statewide WQM Plan.

(c) Under N.J.A.C. 7:7E-8.4 and Section 307(f) of the Coastal Zone Management Act, 33 U.S.C. §§ 1451 et seq., the Department's Coastal Management Program incorporates by reference all requirements established by or pursuant to the Clean Water Act, 33 U.S.C. §§ 1251 et seq., including all requirements contained in this chapter and in WQM plans.

(d) For WQM plan amendments relating to the Hackensack Meadowlands District, the consultation requirement in N.J.S.A. 13:17-9(c) shall be met as follows:

1. For amendments processed under N.J.A.C. 7:15-3.4(b)4 or (c), the Hackensack Meadowlands Development Commission shall be requested to issue written statements of consent for such amendments under N.J.A.C. 7:15-3.4(g)3 and 4 or N.J.A.C. 7:15-3.4(d)3, as appropriate.

2. For other amendments to WQM plans under N.J.A.C. 7:15-3.4(b)1 through (b)3, (i), (j), or (k) that automatically incorporate Department or USEPA actions taken through rulemaking proceedings or water pollution control programs, the consultation requirement in N.J.S.A. 13:17-9(c) shall be addressed, as necessary, through those rulemaking proceedings or programs, and shall not be independently addressed under this section.

Administrative Correction to (d)2: Corrected spelling of 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), corrected cross-references. In (d)1, "issue written statement of consent" was "endorse".

### 7:15-3.7 Coordination with Pinelands program

(a) In accordance with N.J.S.A. 13:18A-8, 16 U.S.C. § 471i(f), and the "Water Resources Planning" element (page 221) of the "Surface and Groundwater Resources Program" contained in Chapter Seven of the Comprehensive Management Plan adopted by the Pinelands Commission on November 21, 1980, comments shall be sought from the Pinelands Commission on proposed WQM plan amendments pertaining to the Pinelands Area defined at N.J.S.A. 13:18A-11 or the Pinelands National Reserve defined at 16 U.S.C. § 471i(c), to ensure that such amendments are consistent with the intent and programs of the Pinelands Protection Act, N.J.S.A. 13:18A-1 et seq., and section 502 of the National Parks and Recreation Act of 1978, 16 U.S.C. § 471i.

(b) For WQM plan amendments processed under N.J.A.C. 7:15-3.4(b)4 or (c), the Department shall seek comments from the Pinelands Commission before making the decision required by N.J.A.C. 7:15-3.4(g)2 or 7:15-3.4(d)2, as appropriate.

(c) For other amendments to WQM plans under N.J.A.C. 7:15-3.4(b)1 through (b)3, (i), (j), or (k), that automatically incorporate Department or USEPA actions taken through rulemaking proceedings or water pollution control programs, any need to seek comments from the Pinelands Commission shall be addressed, as necessary, through those rulemaking proceedings or programs, and shall not be independently addressed under this section.

### 7:15-3.8 Validity of water quality management plan amendments

(a) No WQM plan amendment hereafter adopted by the Governor or his designee is valid unless adopted in substantial compliance with this chapter. A proceeding to contest any WQM plan amendment on the ground of noncompliance with the procedural requirements of this chapter shall be commenced within one year from the adoption date of the amendment.

(b) A proceeding to contest any WQM plan amendment adopted by the Governor or his designee prior to October 2, 1989, on the ground of noncompliance with the procedural requirements of this chapter as it existed prior to October 2, 1989, shall be commenced by October 2, 1990.

Administrative Correction to (b).

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

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

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

### 7:15-3.9 Appeals of Department decisions

(a) Within 20 calendar days from the receipt by the applicant of a written notification from the Department of the decision of the Department made pursuant to N.J.A.C. 7:15-3.4(g)2i or ii or 8ii through iv, the applicant may request an adjudicatory hearing to contest the Department decision by submitting a written request to the Department, addressed to the Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests, Department of Environmental Protection, CN 402, Trenton, New Jersey 08625-0402. The request shall include the following information:

1. The name, address, and telephone number of the applicant and its authorized representative if any;
2. The applicant's factual position on each question alleged to be at issue, its relevance to the Department's decision, specific reference to contested factors as well as suggested revised or alternative provisions;
3. Information supporting the applicant's factual position and copies of other written documents relied upon to support the request for a hearing;
4. An estimate of the time required for the hearing (in days and/or hours); and
5. A request, if necessary, for a barrier-free hearing location for disabled persons.

(b) A hearing request not received within 20 days after receipt by the applicant of a written notification from the Department of the decision of the Department, shall be denied.

(c) During the pendency of the review and hearing on a Department decision made pursuant to this chapter, the challenged Department decision shall remain in full force and effect, unless a stay is granted by the Department upon formal request by the applicant.

(d) If the appellant fails to include all the information required by (a) above, the Department may deny the hearing request.

(e) If it grants the request for a hearing, the Department shall file the request for a hearing with the Office of Administrative Law. The hearing shall be held before an administrative law judge and in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1. If the subject of the hearing is a proposed amendment to the areawide WQM plan for a designated area, the Department shall provide notice of the hearing to the designated planning agency for that area.

(f) Appeals of decisions made by designated planning agencies under this subchapter shall be made to a court of competent jurisdiction.

(g) An appeal of a decision made by the Department pursuant to N.J.A.C. 7:15-3.1 or 3.2 shall be made in accordance with the statutes and rules that govern the permit that is the subject of the decision. Such an appeal shall not be governed by (a) through (e) above.

(h) If the subject of a Department decision identified under (a) above is a proposed amendment to the areawide WQM plan for a designated area, the designated planning agency for that area may request an adjudicatory hearing to contest the Department decision, regardless of whether or not the applicant requests such a hearing. Such requests shall be governed by (a) through (e) above, and the designated planning agency shall be treated in the same manner as an "applicant" for purposes of those subsections.

Administrative Correction in (b): Changed "or" to "of".

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

Administrative change in (a).

See: 23 N.J.R. 3325(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 (c), deleted reference to Director (Division of Water Resources).

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

Notice of Rule Invalidation: See 23 N.J.R. 2346(b).

Validity of co-permittee requirements in N.J.A.C. 7:15-4.1 affected by decision in *New Jersey Builders Association v. Helen Fenske, Acting Commissioner, New Jersey Department of Environmental Protection*, Dkt. No. A-2367-89T1 (App. Div. June 18, 1991). (Note: Decision effective date stayed until September 15, 1991.)

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

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

Section was "Permittees for new or expanded domestic treatment works".

#### 7:15-4.2 Projects and activities deemed to be consistent with WQM plans and this chapter

(a) The following treatment works are deemed to be consistent with WQM plans and this chapter:

1. Upgrades of domestic or industrial treatment works, including upgrades accomplished through construction of new treatment works at the same location, that do not exceed existing flows and do not exceed flows identified in areawide WQM plans. However, where levels of treatment are specified in areawide WQM Plans, upgrades that are not designed to achieve such treatment levels shall be deemed to be consistent only if such upgrades are in accordance with approved compliance schedules that provide for the future achievement of such treatment levels, and that are included in NJPDES discharge permits, court orders, or Department enforcement documents such as administrative orders or administrative consent orders.

2. Treatment works whose sole purpose is to abate an existing pollution problem, if such treatment works are required by the Department or USEPA.

3. Removal or remedial actions performed or required by the Department or by Federal agencies or by their agents, under the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq., or the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986, 42 U.S.C. §§ 9601 et seq., or other statutes authorizing Department or Federal removal or remedial actions for hazardous substances.

4. Interim construction or interim expansion of, or interim connection with, domestic or industrial treatment works that are required by law to be abandoned or incorporated at a definite time into other treatment works:

- i. That are under construction;

- ii. For which contracts have been awarded for construction; or

- iii. Whose construction is required by court order or Department order, or by a consent agreement to which the Department is a party.

## SUBCHAPTER 4. WATER QUALITY AND WASTEWATER MANAGEMENT POLICIES AND PROCEDURES

### 7:15-4.1 (Reserved)

Administrative Correction to (c)3i and ii.

(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 100 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.

(d) The Governor or Governor's designee may adopt a WQM amendment affecting a project in (b) above in the absence of a wastewater management plan. This provision is applicable only to proposed amendments that do not involve the identification of a new or expanded treatment works that discharges sanitary wastewater effluent to surface waters, or a new or expanded industrial wastewater treatment works that will discharge to a waterbody segment for which a TMDL has been adopted in accordance with N.J.A.C. 7:15-7. This provision is applicable only if the Department determines that the proposed project-specific amendment shall not result in significant adverse environmental impact or foreclosure of reasonable wastewater management planning options, and that the requirement of (a) above for a wastewater management plan shall be met through one of the following:

1. The wastewater management planning agency provides a binding commitment to the Department to prepare and submit for review a wastewater management plan that meets the requirements of this chapter within six months of the date on which the relevant WQM amendment is adopted; or

2. In the case of a wastewater management plan for a multi-municipal region or county, the wastewater management planning agency provides a binding commitment to the Department to prepare and submit for review a wastewater management plan that meets the requirements of this chapter within a schedule mutually agreed upon by the Department and the wastewater management planning agency, but not to exceed 18 months of the date on which the relevant WQM amendment is adopted.

(e) The deadline in either (d)1 or 2 above shall be set based on adoption of the first amendment that triggers the need for a WMP under (a) above. Additional amendments that would also trigger the need for a WMP under (a) above may be processed prior to expiration of such deadline, but the deadline shall not be extended or provided for another such amendment. If the WMP is not submitted on or before the deadline, no additional amendments shall be processed under this subsection without satisfaction of the WMP requirement.

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

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

In (b)1, increased relevant acreage amount from 10 to 100; and added (d) and (e).

#### 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 manage-

ment 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.