

CHAPTER 15

WATER QUALITY MANAGEMENT PLANNING

Authority

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

Source and Effective Date

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

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 15, Water Quality Management Planning, expires on October 28, 2007. See: 39 N.J.R. 1870(a).

Chapter Historical Note

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 The text was repealed by R.1980 d.433 on October 7, 1980.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

Chapter 15, Statewide Water Quality Management Plan was adopted as new rules by R.1989 d.517, effective October 2, 1989. See: 20 N.J.R. 2198(a), 20 N.J.R. 2478(a), 21 N.J.R. 3099(a).

Petition for Rulemaking: Requesting amendment to the process for review and amendment of Areawide Water Quality Management Plans and associated permits. See: 21 N.J.R. 3183(b).

Public Notice: Amendment to the Statewide Water Quality Management Program Plan. See: 21 N.J.R. 3184(a).

Public Notice: Opportunity for interested party review for rule amendments. See: 25 N.J.R. 411(a).

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

The Executive Order No. 66(1978) expiration date for Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from September 22, 1999 to September 22, 2000. See: 31 N.J.R. 3087(a).

The Executive Order No. 66(1978) expiration date for Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from September 22, 2000 to April 30, 2001. See: 32 N.J.R. 3830(a).

The Executive Order No. 66(1978) expiration date for Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from April 30, 2001 to April 30, 2002. See: 33 N.J.R. 1588(a).

In accordance with N.J.S.A. 52:14B-5.1d, Chapter 15, Water Quality Management Planning, expiration date was extended by gubernatorial directive from April 30, 2002 to April 30, 2004. See: 34 N.J.R. 1021(a).

In accordance with N.J.S.A. 52:14B-5.1d, Chapter 15, Water Quality Management Planning, expiration date was extended by gubernatorial directive from April 30, 2004 to October 29, 2005. See: 36 N.J.R. 2762(a).

In accordance with N.J.S.A. 52:14B-5.1d, Chapter 15, Water Quality Management Planning, expiration date was extended by gubernatorial

directive from October 29, 2005 to November 29, 2005. See: 37 N.J.R. 4535(a).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from November 29, 2005 to May 25, 2006. See: 38 N.J.R. 293(a).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from May 25, 2006 to January 31, 2007. See: 39 N.J.R. 2691(a).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from January 31, 2007 to April 1, 2007. See: 39 N.J.R. 767(c).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from April 1, 2007 to May 1, 2007. See: 39 N.J.R. 1710(a).

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SUBCHAPTER 1. GENERAL PROVISIONS

7:15-1.1 Scope

(a) This chapter prescribes water quality management policies and procedures established pursuant to the Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., and N.J.S.A. 13:1D-1 et seq. Specifically, this chapter prescribes policies and procedures concerning the following subjects:

1. The content of the continuing planning process ("CPP") and its relationship to this chapter and the Statewide Water Quality Management ("WQM") Plan;

2. The relationship between the Statewide, areawide, and county water quality management (WQM) plans and this chapter;

3. The role of the Department and designated planning agencies in WQM planning activities;

4. The review of projects and activities for consistency with WQM plans and this chapter, including the issuing of consistency determinations for specified kinds of projects;

5. The preparation, adoption, amendment, revision, and certification of WQM plans;

6. The adoption of other Department rules, wastewater facilities priority systems and project priority lists, sludge management plans, effluent limitations, wastewater management plans, 201 Facilities Plans, and other documents in WQM Plans;

7. Coordination of WQM planning with Coastal Zone, Hackensack Meadowlands, and Pinelands programs;

8. Mechanisms to resolve conflicts among State agencies, designated planning agencies, applicants, and other parties affected by this chapter;

9. Selected aspects of wastewater management, including treatment works deemed to be consistent with WQM plans and this chapter; WQM Plan amendment requirements for treatment works not identified in WQM plans; construction of individual subsurface sewage disposal systems and other small domestic treatment works in future sewer service areas; and eligibility for financial assistance.

10. The identification of WQM plan amendments that require the adoption or amendment of wastewater management plans in areawide WQM plans;

11. The assignment of the duty to prepare and update wastewater management plans to certain sewerage agencies and municipalities, and the establishment of alternative assignments of such wastewater management plan responsibility; and

12. The required contents of wastewater management plans, and schedules and procedures for their submission, adoption, and updating.

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

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

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

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

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

7:15-1.2 Construction

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

58:10A-1 et seq., N.J.S.A. 13:1D-9, the Statewide WQM Plan, and the areawide WQM plans.

7:15-1.3 Purpose

(a) The purpose of this chapter is to:

1. Implement the Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., and N.J.S.A. 13:1D-9;