

Unanswered Questions from MS4 Permit Webinar

Q: Do you have a graphic that shows the proper way to label stormwater inlets?

A: Page 39 of the attached NJDEP Tier A Guidance document provides details on storm drain labeling. Below are some examples of labels. The metal medallions are glued to the catch basin hood or inlet grate. Sometime the hood or inlet already have the wording inscribed.



Q: Do you have an image of the hoods for plastic bottles in storm drains? I would like to see if my town have these?

A: The towns have to replace the non-compliance hoods by the end of this five year period cycle (12/31/2027). Here are some images of the correct inlet/catch basin hood.



a) Standard design



b) Narrow opening



c) another standard design



d) non-compliant hood – opening is too big

Q: Are there specific requirements for major industrial and commercial contributors to stormwater?

A: Industries may have an individual stormwater permit from NJDEP with specific requirements. Otherwise, there are no specific requirements for industrial or commercial contributors.

Q: Is the MS4 applicable to ground water or limited to surface water strictly per the statutory authority?

A: From the MS4 permit, “this permit authorizes all new and existing stormwater discharges to surface water and groundwater from:

- i. Small MS4s (as defined at N.J.A.C. 7:14A-1.2) owned or operated by the permittee
- ii. Municipal maintenance yards and other ancillary operations, excluding wood waste recycling and leaf composting operations, owned or operated by the permittee.”

Q: How many towns in NJ are current and in compliance with these regulations?

A: I do not know how many municipalities are in compliance. This is a question for NJDEP.

Q: Fecal coliform is no longer a regulated parameter per NJ SWQS in fresh water. It’s replaced by E. Coli. So in rural areas with no anthropogenic inputs on C1 waters how can elevated E. Coli levels be addressed?

A: Many waterways have TMDLs for Fecal Coliform. This impairment should be addressed in the Watershed Improvement Plan. If the waterway is listed as impaired for E.Coli in the NJ Integrated Water Quality Assessment Report (Clean Water Act 303(d) List & 305(b) Report), the Watershed Improvement Plan must address this impairment.

Q: Do all of the reports need to be by HUC14 or just the Watershed Assessment Report?

A: The Watershed Improvement Plan including the Assessment Report, is supposed to be based on HUC14s.

Q: Who is insuring that the runoff from major freeways is in compliance?

A: The State Department of Transportation has an MS4 permit that is supposed to be enforced by NJDEP. EPA can also audit permittees and issue violations of non-compliance.

Q: Is it common for a borough to outsource roles to engineering firms and/or for profit entities to maintain compliance?

A: Yes, many municipalities have determined it is more cost effective to hire a professional consulting firm to be their municipal engineer and complete the requirements of the MS4.

Q: Do raingardens that don't have an exit pipe to a groundwater system (but just overflow to the surrounding lawn) - are these part of the groundwater reporting and inspections?

A: If a rain garden is owned and operated by the municipality, it is considered a stormwater facility and has to be inspected and maintained by the municipality. If a homeowner association installs a rain garden to manage stormwater in a common area at their private complex, the municipality must ensure these systems are being inspected and maintained. I do not believe a rain garden on homeowner's property is regulated by the MS4 regulations.

Q: The more realistic answer to what happens to a municipality that doesn't comply is that it is impossible to do so. The fact that 1/3 of the communities have not sent in one of the reports and that 95% of the streams are impaired is a tell tale report card. NJ must come up with a more reasonable plan.

A: I'm not sure I agree with it is impossible to comply with regulations. Regulations are open for public comment. If municipalities believe these regulations were impossible to comply with, they should have commented on the regulations. We are talking about municipally owned infrastructure that should be inspected and maintained on a regular basis. The municipalities maintain their road on a regular basis. How is managing stormwater infrastructure any different.

Q: Can we get comments on Watershed wide multi municipality Watershed Assessment Reports and projects?

A: Several municipalities have joined together to prepare Watershed Assessment Reports on a watershed basis. This could be more cost effective and lead to better projects

through regional collaboration. Keep in mind, that the municipality must complete the Watershed Assessment Report and Watershed Improvement Plan for the entire municipality, not just one watershed. So they may need multiple reports.

Q: On which website is the draft Tree Removal ordinance?

A: <https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/example-ordinances/>

Q: Can you please give us the name of the engineers that Chris mentioned who are available to help with stormwater?

A: See attached.