

Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5 Pursuant to 24 CFR 58.35(a)

Responsible Entity: New Jersey Department of Community Affairs, Richard Constable III, Commissioner

Applicant Name: _____ (First) _____ (Last)

-or- City of Brigantine (Business/Corporate Name)

Project Location: Brigantine Avenue from 9th Street South to 14th Street South (Street Address)

Brigantine (Municipality) Atlantic (County) NJ (State)

N/A (Block) N/A (Lot)

Note – the project is located on public right-of-way.

Conditions for Approval [40 CFR 1505.2(c)]: (List all mitigation and project modification measures required by the Responsible Entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts and other relevant documents as required. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.)

General

1. *Acquire all required federal, state and local permits prior to commencement of construction and comply with all permit conditions.*
2. *If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for reevaluation under the National Environmental Policy Act.*

Noise

1. *Outfit all equipment with operating mufflers.*
2. *Comply with the applicable local noise ordinance.*

Air Quality

Project activities must meet the regulatory requirements of New Jersey's Air Rules and Air Pollution Controls (see NCR40182_AirQualityMemo). In addition, the following must be met:

1. *Use water or chemical dust suppressant in exposed areas to control dust.*
2. *Cover the load compartments of trucks hauling dust-generating materials.*
3. *Wash heavy trucks and construction vehicles before they leave the site.*
4. *Reduce vehicle speed on non-paved areas and keep paved areas clean.*
5. *Retrofit older equipment with pollution controls.*
6. *Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.*
7. *Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.*

8. *Obtain an air pollution control permit to construct and a certificate to operate for all equipment subject to N.J.A.C. 7:27-8.2(c). Such equipment includes, but is not limited to, the following:*
 - a. *Any commercial fuel combustion equipment rated with a maximum heat input of 1,000,000 British Thermal Units per hour or greater to the burning chamber (N.J.A.C. 7:27-8.2(c)1);*
 - b. *Any stationary storage tank for volatile organic compounds with a capacity of 2,000 gallons and a vapor pressure of 0.02 pounds per square inch or greater (N.J.A.C. 7:27-8.2(c)9);*
 - c. *Any tank, reservoir, container, or bin with capacity in excess of 2,000 cubic feet used for storage of solid particles (N.J.A.C. 7:27-8.2(c)10); and*
 - d. *Any stationary reciprocating engine with a maximum rated power output of 37 kW or greater, used for generating electricity, not including emergency generators (N.J.A.C. 7:27-8.2(c)21).*
9. *Minimize idling and ensure that all on-road vehicles and non-road construction equipment operated at or visiting the project site comply with the applicable smoke and "3-minute idling" limits (N.J.A.C. 7:27-14.3, 14.4, 15.3 and 15.8).*
10. *Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).*
11. *Operate, if possible, newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines, or equipment equipped with an exhaust retrofit device.*

Energy Efficiency

All reconstruction, new construction and rehabilitation projects in the HUD CDBG programs must be designed to incorporate principles of sustainability, including water and energy efficiency, resilience and mitigation of the impact of future disasters.

Hazardous Waste

The following must be met:

1. *Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials or household waste (e.g. construction and demolition debris, pesticides/herbicides, white goods).*
2. *Should impacted soils be encountered during construction, they should be excavated and properly disposed of at an off-site permitted disposal facility in accordance with all applicable local, state and federal regulations. In the event that the impacted soils constitute a reportable release, the appropriate information pertaining to the release and the responsible party should be provided to the New Jersey Department of Environmental Protection Hotline, and the impacted media remediated with the oversight of a Licensed Site Remediation Professional (LSRP).*

Soil and Water Quality

The applicant may need to obtain Cape-Atlantic Soil Conservation District Soil Erosion and Sediment Control Plan Certification. The threshold for this requirement is the disturbance of 5,000 or more square feet. If the project involves disturbing more than 5,000 square feet, this certification will need to be obtained. In addition, the following requirements will also be met.

1. *Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in waters and to prevent erosion in wetlands and waters.*
2. *Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.*

Funding Information:

Grant Number	HUD Program	Funding Amount
B-13-DS-34-0001	CDBG-DR NCR	\$758,448

Estimated Total HUD Funded Amount: \$758,448

Estimated Total Project Cost [24 CFR 58.32(d)]: (HUD and non-HUD funds) \$758,448

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The Neighborhood and Community Revitalization Program (NCR) supports the long-term recovery of communities in part with funds for economic revitalization projects and public facilities improvements. The project is intended to provide safety and aesthetic improvements to a portion of Brigantine Avenue within the City of Brigantine’s Central Business District (CBD). The project will add improvements to a community that was directly impacted by Superstorm Sandy, thereby assisting in the restoration of the New Jersey shore community.

Description of the Proposed Project [24 CFR 50.12 & 58.32, 40 CFR 1508.25]: (Include all contemplated actions that are logically either geographically or functionally a composite part of the project, regardless of the source of funding. As appropriate, attach maps, site plans, renderings, photographs, budgets, and other descriptive information.)

The proposal includes streetscape improvements along Brigantine Avenue from 9th Street South to 14th Street South. Improvements will include replacing sidewalks and driveways with brick pavers, installing street lighting, landscaping and street furniture, as well as install handicapped ramps that meet Americans with Disabilities Act (ADA) standards at roadway intersections. Access to local NJ Transit bus stops will also be improved.

STATUTORY CHECKLIST [24 CFR 50.4, 24 CFR 58.5]

DIRECTIONS – For each authority, check either Box “A” or “B” under “Status.”

“A box” The project is in compliance, either because: (1) the nature of the project does not implicate the authority under consideration, or (2) supporting information documents that project compliance has been achieved. In either case, information must be provided as to WHY the authority is not implicated, or HOW compliance is met; OR

“B box” The project requires an additional compliance step or action, including, but not limited to, consultation with or approval from an oversight agency, performance of a study or analysis, completion of remediation or mitigation measure, or obtaining of license or permit.

IMPORTANT: Compliance documentation consists of verifiable source documents and/or relevant base data. Appropriate documentation must be provided for each law or authority. Documents may be incorporated by reference into the ERR provided that each source document is identified and available for inspection by interested parties. Proprietary material and studies that are not otherwise generally available for public review shall be included in the ERR. Refer to HUD guidance for more information.

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §50.4 & §58.5	STATUS A B		Compliance Documentation
<p>1. Air Quality [Clean Air Act, as amended, particularly sections 176(c) & (d), and 40 CFR 6, 51, 93]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project is in compliance. According to the Department of Environmental Protection Division of Air Quality Memorandum dated January 23, 2014, the General Conformity Rule would apply to this project in Atlantic County as the county is in nonattainment for certain National Ambient Air Quality Standards (NAAQS) and construction activities continue to remain well below the Federal General Conformity regulation’s <i>de minimis</i> thresholds and are presumed to conform to the State Implementation Plan (SIP). See NCR40182_AirQualityMemo.</p> <p>Atlantic County is shown as being designated a nonattainment or maintenance area for the following NAAQS pollutants (see NCR40182_AirQualityMap):</p> <ul style="list-style-type: none"> • Nonattainment for 8 hour Ozone standard of 0.08 ppm (1997 Std) • Nonattainment for 8 hour Ozone standard of 0.075 ppm (2008 Std) • Maintenance area for 8-hour Carbon Monoxide standard of 9ppm <p>Project activities must meet the regulatory requirements of New Jersey’s Air Rules and Air Pollution Controls. The project will involve streetscape improvements along Brigantine Avenue. Temporary impacts to air quality may occur during construction; however, no long-term impacts to air quality are anticipated. The temporary impacts can be mitigated through Best Management Practices (BMPs) including mitigation of dust and fugitive emissions, complying with all state and federal rules for demolition of structures which may contain asbestos, truck bed covers, and retrofitting older equipment with pollution controls.</p>

<p>2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Newark Liberty International Airport is located approximately 90 miles to the north of the project. Atlantic City International Airport is located approximately 11 miles to the west of the project. The nearest military airfield, Lakehurst Naval Air Station, is located approximately 43 miles north of the project. The project is not within 15,000 feet of a military air field or 2,500 feet from the end of a civilian airport runway. The project is therefore not within an Airport Clear Zone or Accident Potential Zone (see NCR40182_AirportHazardsMap).</p>
<p>3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project is located within the Coastal Area Facility Review Act (CAFRA) Zone; however the project is not located within 150 feet of the mean high water line (MHWL, see NCR40182_CoastalZoneManagementCAFRA). Therefore, the project does not require any CAFRA permitting. In addition, no work is proposed at or below the MHWL; therefore, no Waterfront Development permitting is necessary. Furthermore, the project will also not impact any coastal wetlands; therefore, coastal wetland permitting is not required. Please also see the NJDEP Division of Land Use Regulation (DLUR) correspondence (NCR40182_DLUR_Response).</p>
<p>4. Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The property is not within 3,000 feet of a toxic, hazardous or radioactive waste site of concern (see NCR40182_ToxicHazardousandRadioactiveSubstancesMap). In addition, during the site reconnaissance, no obvious signs of contamination were observed. Pole-mounted transformers are located on several of the power lines along Brigantine Avenue; however, no sign of release from the transformers (i.e., staining) was observed.</p> <p>The proposed project does not involve work on buildings or painted structures that may contain lead-based paint (LBP) or asbestos-containing materials (ACM). Therefore, these materials are not considered a concern to the project.</p> <p>The project is located within a Tier 3 Radon Potential Area (see NCR40182_RadonMap) therefore, no further assessment regarding radon is warranted.</p>
<p>5. Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR 402]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>According to the NJDEP GIS mapping tool, the northeastern edge of the project partially overlaps mapped habitat area for potential threatened/endangered bat species (see NCR40182_EndangeredSpeciesMap). It is noted that no suitable habitat for these species (i.e., trees greater than or equal to 10 inches in diameter) was observed within the right-of-way in this area. Therefore, no impacts to this species are anticipated. It is also noted that the US Fish and Wildlife Service (USFWS) Information, Planning and Conservation (IPaC) did not identify bat species within the project area (see NCR40182_IPaC).</p> <p>The NJDEP GIS mapping tool centroid layer (see NCR40182_EndangeredSpeciesCentroid) did not identify federally-listed species on-site; however, it did indicate the potential presence of state-listed species. It is noted, however, that the NJDEP Natural Heritage Program (NHP) results indicated no species habitat is located on-site (see NCR40182_NHP_Results). The NHP did indicate potential foraging and nesting habitat for numerous species within one mile of the site, but based on the project activities, and fact that no such habitat is located on-site, no impacts to these species are anticipated. The</p>

			<p>locations of species habitat are not identified by NHP; the response simply indicates potential habitats within one mile. It is noted that the NHP species list is more expansive than the species identified on the NJDEP GIS mapping tool.</p> <p>It is noted that the USFWS IPaC System identified the general project area as being potential habitat for Piping Plover, Red Knot and Seabeach Amaranth. The subject parcels were not mapped as Piping Plover or Red Knot habitat in the NJDEP GIS tool, and Seabeach Amaranth typically inhabits dune environments. No dunes are present on-site; therefore, it is not anticipated that this species would be encountered on the project site.</p>
<p>6. Environmental Justice [Executive Order 12898]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project is mapped within areas of environmental justice populations (20-30% below poverty and 0-40% minority) however, the project is not anticipated to have an adverse impact on these populations. In fact, through increased accessibility (such as improved ADA and transit access) the project will benefit these populations. See NCR40182_EJPovertyMap, NCR40182_EJMinorityMap and NCR40182_EJChecklist.</p>
<p>7. Explosive and Flammable Operations [24 CFR 51C]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>This street improvement project does not meet the definition of a “HUD-Assisted Project” and is therefore not subject to the HUD rule (see: 24 CFR 51.201).</p>
<p>8. Farmland Protection [Farmland Protection Policy Act of 1981, particularly section 1504(b) & 1541; 7 CFR 658]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The project is not located within prime farmlands of statewide importance (see NCR40182_FarmlandProtectionSoilsMap). In addition, the project will not involve the conversion of agricultural land into non-agricultural uses; therefore, no impacts to farmland are anticipated.</p> <p>The applicant may need to obtain Cape-Atlantic Soil Conservation District Soil Erosion and Sediment Control Plan Certification. The threshold for this requirement is the disturbance of 5,000 or more square feet. If the project involves disturbing more than 5,000 square feet (see NCR40182 Plans.pdf), this certification will need to be obtained. In addition, the following requirements will also be met.</p> <ol style="list-style-type: none"> 1. <i>Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in waters and to prevent erosion in wetlands and waters.</i> 2. <i>Minimize soil compaction by minimizing project activities in vegetated areas, including lawns.</i>

<p>9. Floodplain Management [24 CFR 55; Executive Order 11988, particularly section 2(a)]</p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>	<p>The project construction site is within the 100-year Floodplain Zone AE, which is part of the FEMA designated Special Flood Hazard Area as shown on the FEMA Preliminary FIRM (see NCR40182_FloodplainMgmtandFloodInsuranceNFIPMap). It is noted that the AE zone is a subset of the A zone, as shown on the Preliminary FIRM floodplain map. According to correspondence with NJDEP DLUR (see NCR40182_DLUR_Response), the project meets the criteria for a Flood Hazard Area Permit-by-Rule pursuant to N.J.A.C. 7:13-7.2(b)6.</p> <p>Since no alternatives to locating within the floodplain are practicable, an 8-step decision-making process was conducted as outlined in 24 CFR 55.21. A public notification was posted on January 16, 2015 with a comment period of 15 days. No comments were received. A copy of the 8-step checklist, the 8-step analysis and public notifications can be found in the supporting documentation (see folder NCR40182_8Step).</p> <p>Steps 1-6 have been conducted (see folder NCR40182_8Step). Step 7 (Determination of No Practicable Alternative) involves the publication of a 7-day notice stating the reasons why the project must be located in the floodplain, provides a list of alternatives proposed, and all mitigation measures taken to minimize adverse impacts on the floodplain and preserve natural and beneficial floodplain values. All comments received from this publication will be responded to and fully addressed prior to any funds being committed to the proposed project, in compliance with Executive Order 11988 or 24 CFR Part 55 and 58.2. The publication of this notice will be included in the project's Notice of Intent/Request Release of Funds (NOI-RROF) publication.</p> <p>Step 8 will consist of the implementation of the proposed action. Implementation may require additional local and state permits, which could place additional design modifications or mitigation requirements on the project.</p>
<p>10. Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR 800]</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p>The project is located entirely within the Historic Preservation "Green Zone" and is not within the archaeological site grid (see NCR40182_HistoricPreservationExemptionZone). The project is located on a barrier island and meets the conditions of Tier II Programmatic Allowance I; therefore, consultation with the NJ SHPO is not required.</p>
<p>11. Noise Abatement and Control [Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR 51B]</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p>A Day/Night Noise Level (DNL) calculation for the project was not conducted. DNL noise standards are applicable only to projects "providing assistance, subsidy or insurance for housing, manufactured home parks, nursing homes, hospitals, and all programs providing assistance or insurance for land development, redevelopment or any other provision of facilities and services which are directed to making land available for housing or noise sensitive development" (24 CFR 51.101(a)(3)). The proposed project is not for housing or a noise sensitive use; therefore the DNL noise standards are not applicable.</p> <p>It is anticipated that construction activities will create a temporary noise impact. This impact can be mitigated through the use of BMPs such as installation of mufflers on equipment and performing construction during daytime.</p>

<p>12. Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project is mapped within the Coastal Plain aquifer system (see NCR40182_SoleSourceAquiferMap); however, the project is in conformance with the conditions identified on the USEPA Sole Source Aquifer Memo (i.e., is a rehabilitation/improvement to infrastructure already in place and will not involve significant expansion of impervious cover, see NCR40182_EPA_SSA_Memo) therefore, consultation with the USEPA Region 2 is not necessary.</p>
<p>13. Wetland Protection [24 CFR 55, Executive Order 11990, particularly sections 2 & 5]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>No wetlands are located within proximity to the project area (see NCR40182_WetlandProtectionMap). Therefore, the project is not anticipated to impact wetlands.</p>
<p>14. Wild and Scenic Rivers [Wild and Scenic Rivers Act of 1968, particularly section 7(b) & (c); 36 CFR 297]</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The Wild and Scenic Rivers Act of 1968 protects selected rivers in a free-flowing condition (16 U.S.C. 1271) and prohibits federal support for activities that would harm a designated river's free-flowing condition, water quality, or outstanding resource values. Five designated Wild and Scenic rivers are located within the State of New Jersey; the Delaware (Lower) River, Delaware (Middle) River, Great Egg Harbor River, Maurice River and the Musconetcong River.</p> <p>The nearest scenic river, the Great Egg Harbor River, is approximately 10 miles to the west of the project area (see NCR40182_WildandScenicRiverMap). This distance is greater than the 1 mile buffer zone. Therefore, consultation with the National Park Service is not required.</p>

24 CFR 58.6 CHECKLIST [24 CFR 50.4, 24 CFR 58.6]

1. AIRPORT RUNWAY CLEAR ZONES AND CLEAR ZONES NOTIFICATION [24 CFR Part 51.303(a)(3)]

Does the project involve the sale or acquisition of property located within a Civil Airport Runway Clear Zone or a Military Airfield Clear Zone?

No. Cite or attach Source Documentation: *Newark Liberty International Airport is located approximately 90 miles to the north of the project. Atlantic City International Airport is located approximately 11 miles to the west of the project. The nearest military airfield, Lakehurst Naval Air Station, is located approximately 43 miles north of the project. The project is not within 15,000 feet of a military air field or 2,500 feet from the end of a civilian airport runway. The project is therefore not within an Airport Clear Zone or Accident Potential Zone (see NCR40182_AirportHazardsMap).*

Yes. Notice must be provided to the buyer. The notice must advise the buyer that the property is in a Runway Clear Zone or Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information, and a copy of the signed notice must be maintained in the ERR.

2. COASTAL BARRIERS RESOURCES ACT [Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)]

Is the project located in a coastal barrier resource area?

No. Cite or attach Source Documentation: *The nine designated units of the Coastal Barrier Resources System in New Jersey are uninhabited. The 12 "otherwise protected areas" associated with the Coastal Barrier Resources System in New Jersey are also uninhabited. Therefore, no project activities would occur on designated coastal barriers or in "otherwise protected areas," and the proposed project would have no impact on coastal barrier resources. The nearest CBRS unit is NJ-07P which is located approximately 1.5 miles to the north. See NCR40182_CoastalBarrierResourceActMap. [Proceed with project.]*

Yes. Federal assistance may not be used in such an area.

3. FLOOD DISASTER PROTECTION ACT [Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 (42 USC 4001-4128 and 42 USC 5154a)]

Does the project involve acquisition, construction, or rehabilitation of structures located in a FEMA-identified Special Flood Hazard Area (SFHA)?

No. Cite or attach Source Documentation: *The project is located within an SFHA (See NCR40182_FloodplainMgmtandFloodInsuranceNFIPNotInFloodwayMap); however, the proposed improvements for this project (streetscape improvements) are not "structures" as defined by FEMA in 44 CFR 9.4. [Proceed with project.]*

Yes. Cite or attach Source Documentation:

Is the community participating in the National Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?

Yes. Flood Insurance under the National Flood Insurance Program must be obtained. If HUD assistance is provided as a grant, insurance must be maintained for the economic life of the project and in the amount of the total project cost (or up to the maximum allowable coverage, whichever is less). If HUD assistance is provided as a loan, insurance must be maintained for the term of the loan and in the amount of the loan (or up to the maximum allowable coverage, whichever is less). A copy of the flood insurance policy declaration must be kept on file in the ERR.

No. Federal assistance may not be used in the Special Flood Hazard Area.

Summary of Findings and Conclusions

Field Inspection (Date and completed by): *January 12, 2015; conducted by Lawrence Smith, Senior Planner, and Gary Doss, Environmental Planner.*

Summary Statement of Findings and Conclusions: *Based on the findings of this assessment, the proposed project will have a net benefit on the project area.*

Required Mitigation and Project Modification Measures: [24 CFR 58.40(d), 40 CFR 1505.2(c), 40 CFR 1508.20] (Recommend feasible ways in which the proposal or its external factors should be modified in order to minimize adverse environmental impacts and restore or enhance environmental quality.)

General

1. *Acquire all required federal, state and local permits prior to commencement of construction and comply with all permit conditions.*
2. *If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for reevaluation under the National Environmental Policy Act.*

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1. *Outfit all equipment with operating mufflers.*
2. *Comply with the applicable local noise ordinance.*

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 - a. *Any commercial fuel combustion equipment rated with a maximum heat input of 1,000,000 British Thermal Units per hour or greater to the burning chamber (N.J.A.C. 7:27-8.2(c)1);*
 - b. *Any stationary storage tank for volatile organic compounds with a capacity of 2,000 gallons and a vapor pressure of 0.02 pounds per square inch or greater (N.J.A.C. 7:27-8.2(c)9);*
 - c. *Any tank, reservoir, container, or bin with capacity in excess of 2,000 cubic feet used for storage of solid particles (N.J.A.C. 7:27-8.2(c)10); and*
 - d. *Any stationary reciprocating engine with a maximum rated power output of 37 kW or greater, used for generating electricity, not including emergency generators (N.J.A.C. 7:27-8.2(c)21).*
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10. *Ensure that all diesel on-road vehicles and non-road construction equipment used on or visiting the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 86, 89, 94, 1039, 1051, 1065, 1068).*
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1. *Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials or household waste (e.g. construction and demolition debris, pesticides/herbicides, white goods).*
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1. *Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in waters and to prevent erosion in wetlands and waters.*
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