

**New Jersey Department of Environmental Protection
Division of Water Quality
Municipal Finance & Construction Element
PO Box 425
Trenton, New Jersey 08625-0425
(609) 292-5563**

PUBLIC NOTICE

Notice is hereby given that the New Jersey Department of Environmental Protection (Department) proposes to reissue the New Jersey Pollutant Discharge Elimination System (NJPDES) General Permit for Combined Sewer Systems (CSS) NJPDES No. NJ0105023, in accordance with NJAC 7:14A et. seq. and by the authority of the Water Pollution Control Act at N.J.S.A. 58:10A-1 et. seq. This General Permit was last reissued on June 30, 2004 and is due to expire on July 31, 2009.

This General Permit controls the discharge of pollutants from Combined Sewer Systems (CSS) through Combined Sewer Overflow Points (CSO Points) within the State of New Jersey. CSSs are primarily located along the tidal portions of the Delaware River and its tributaries, the Raritan River, the tidal and non-tidal portions of the Passaic River, and throughout the New York-New Jersey Harbor Complex. There are approximately two hundred six (206) CSO Points currently authorized under the General Permit. These discharge points are associated with the combined sewer systems of approximately sixteen-municipality (16) or other public entities that own and/or operate a portion of a CSS. CSSs are located in Bergen, Camden, Essex, Hudson, Mercer, Middlesex, Passaic, and Union Counties. Table I contains a list of all CSO Points, authorized under this General Permit, and the receiving waterbodies to which they discharge.

The General Permit is consistent with the National CSO Control Policy, the New York/New Jersey Harbor Estuary Comprehensive Conservation and Management Plan, and the Delaware Estuary Plan. The existing General Permit requires owners and/or operators of any portion of a combined sewer system to develop and implement technology-based control measures including the Nine Minimum Control Measures and development of CSO Long-term Control Plans (LTCPs) identified in the National CSO Control Policy. The technology-based requirements include the prohibition of Dry Weather Overflows, prevention of surface water intrusion into the CSS, the control of Solids/Floatables, the development of proper operation and maintenance plans and manuals, and the institution of monitoring and reporting procedures.

The Department proposes to reissue the General Permit for Combined Sewer Systems (CSS) with minor administrative changes. These changes will not impact the substantive provisions of the permit. The Department shall automatically renew existing Individual Authorizations when the General Permit is reissued. Anyone seeking authorization under the General Permit that is not currently authorized under the General Permit must submit an administratively complete RFA in accordance with the requirements of Subpart I B of the General Permit.

This draft General Permit contains conditions necessary to implement the provisions of the regulations for implementing the New Jersey Pollutant Discharge Elimination System (N.J.A.C. 7:14A-1 et seq.), which are promulgated pursuant to the authority of New Jersey's "Water Pollution Control Act" (N.J.S.A. 58:10A-1 et seq.), the "Sewage Infrastructure Improvement Act" (N.J.S.A. 58:25-23 et seq.), the National Combined Sewer Overflow Control Strategy (National Strategy) (See 54 FR 37370, Sept. 8, 1989), the National CSO Control Policy (National Policy) (See 59 FR. 18688, April 19, 1994), N.J.A.C. 7:14A-11, Appendix C (Appendix C Incorporates

the Federal Policy on combined sewer overflows.), the Federal Water Pollution Control Act (Clean Water Act) as amended by the Water Quality Act of 1987 (P.L. 100-4, approved Feb. 4, 1987), and the Consolidated Appropriations Act for Fiscal Year 2001, P.L. 106-554 (or "2000 amendments to the Clean Water Act"). A final decision on this draft General Permit will be made in accordance with the procedures outlined in N.J.A.C. 7:14A-15 "PROCEDURES FOR DECISION MAKING-NJPDES PERMIT PROCESSING REQUIREMENTS".

This draft General Permit prepared by the Department is based on the administrative record which is on file at the offices of the Department, located at 401 East State Street, in the City of Trenton, Mercer County, New Jersey. It is available for inspection, by appointment, between 8:30 AM and 4:00 PM, Monday through Friday. Appointments for inspection of the file may be scheduled by calling (609) 292-0400. The documents are also available at the Division of Water Quality's website for permitting and technical information at <http://www.state.nj.us/dep/dwq/gps.htm>.

Interested persons must submit written comments on the draft General Permit to:

S. Dan Zeppenfeld, P.E., P.P.
Division of Water Quality
Municipal Finance & Construction Element
PO Box 425
Trenton, NJ 08625-0425

All comments must be post marked or delivered by the close of the public comment period. All persons, including those requesting authorization, who believe that any condition of this draft General Permit is inappropriate or that the Department's tentative decision to issue this draft General Permit is inappropriate, must raise all reasonably ascertainable arguments and factual grounds supporting their position, including all supporting material, by the close of the public comment period. The Department will respond to all significant and timely comments when a final decision is issued. The applicants and each interested person who has submitted written comments will be notified of the Department's final decision. The public comment period shall close no sooner than June 30th, 2009 or 30-days after the last date of publication of the public notice in a newspaper.

Additional information concerning this draft General Permit may be obtained between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday by contacting Mr. S. Dan Zeppenfeld, P.E., P.P., at (609) 292-5563.

GENERAL PERMIT No. NJ0105023
COMBINED SEWER OVERFLOW POINTS
TABLE I

OWNER/OPERATOR (Total Number of CSO Points)	NUMBER OF CSO POINTS	RECEIVING WATERBODY
Bayonne Municipal Utilities Authority (29)	8	Kill Van Kull
	3	Upper New York Bay
	18	Newark Bay
Camden, City of (28)	3	Newton Creek
	15	Delaware River
	10	Cooper River
Camden County Municipal Utilities Authority (1)	1	Delaware River
East Newark Borough (1)	1	Passaic River
Elizabeth, City of (28)	1	Peripheral Ditch
	20	Elizabeth River
	2	Great Ditch
	4	Arthur Kill
	1	Newark Bay
Gloucester City (7)	6	Delaware River
	1	Newton Creek
Guttenberg, Town of (1)	1	Hudson River
Hackensack, City of (2)	2	Hackensack River
Harrison, Town of (7)	7	Passaic River
Jersey City Municipal Utilities Authority (22)	2	Newark Bay
	1	Penhorn Creek
	9	Hackensack River
	10	Hudson River
Kearny, Town of (5)	3	Passaic River
	2	Frank's Creek
Newark Department of Water and Sewer Utilities (17)	13	Passaic River
	4	Peripheral Ditch
North Bergen Township Municipal Utilities Authority (10)	5	Cromakill Creek
	1	Bellman's Creek
	1	Paunpeck Creek
	2	Penhorn Creek
	1	Hudson River
Paterson, City of (26)	26	Passaic River
Perth Amboy, City of (16)	9	Raritan River
	7	Arthur Kill
Ridgefield Park Village (6)	4	Hackensack River
	2	Overpeck Creek
TOTAL NUMBER OF CSO POINTS	206	