



ENVIRONMENTAL JOINT INSURANCE FUND

Presented to:
Morris County
Municipal Joint Insurance Fund
September 10, 2025

FOCUS: NJDEP'S MUNICIPAL STORMWATER PERMITS/RENEWALS



Overview:

- ❑ NJDEP issued a new municipal MS4 New Jersey Pollutant Discharge System (NJPDES) Master General Stormwater Permit for Tier A municipalities (effective January 1, 2023)
- ❑ Generally reissued every five years to adjust to changes in technology and water quality.
- ❑ As a result, there are new requirements with implementation deadlines in the permit
- ❑ Eliminated the Tier B classification
 - ❑ Tier B municipalities now must comply with the Tier A requirements.
- ❑ The Municipal Stormwater Regulation Program (MSRP) was developed in response to the U.S. Environmental Protection Agency's (USEPA) Phase II rules (published December 1999)
- ❑ The Department issued the first stormwater rules on February 2, 2004, along with four NJPDES general permits authorizing stormwater discharges from Tier A and Tier B municipalities, Public Complexes (including colleges and universities) and Highway Agencies.

*not combined sewers or part of a publicly owned treatment works (e.g., sewage treatment system)

FOCUS: NJDEP'S MUNICIPAL STORMWATER PERMITS/RENEWALS



Overview:

- ❑ MS4 is a conveyance or system of conveyances owned or operated by a municipality that carries stormwater which discharges to waters of the state, including both surface and groundwater.
- ❑ The MS4 includes:

▪ Pipes	▪ Ditches	▪ Catch Basins
▪ Curbs	▪ Manmade Channels	▪ Municipal Streets or Roads
▪ Gutters	▪ Storm Drains	▪ Basins (surface/subsurface)

*not combined sewers or part of a publicly owned treatment works (e.g., sewage treatment system)

FOCUS: NJDEP'S MUNICIPAL STORMWATER PERMITS/RENEWALS: TIERS A AND B



Municipal Stormwater Permits for Tiers A and B

Formerly:

- ❑ Tier A municipalities were located within the more densely populated regions of the state or along or near the coast
- ❑ Tier B municipalities were located within the more rural and non-coastal areas of the state
- ❑ A Municipal Stormwater General Permit authorizes municipalities to discharge stormwater from Municipal Separate Storm Sewers (MS4s) - basically a permit to pollute.
- ❑ General permits address stormwater quality and quantity issues related to both new and existing development
- ❑ The MS4 NJPDES Permit Requires:
 - ❑ Municipalities must develop and implement two stormwater programs – Stormwater Management and Stormwater Pollution Prevention Planning (SPPP).
 - ❑ Requires municipalities to maintain these programs and make them publicly available
 - ❑ Requires municipalities to adopt and enforce stormwater ordinances to address development and redevelopment consistent with the Stormwater Management rules

WHAT CHANGED IN THE MS4 NJPDES PERMITS?



The department clarified permit conditions in the permit renewal to make conditions easier to understand and implement. While most of the permit conditions are retained from the 2018 master general permit, there are some new permit conditions.

New in 2023 Permit

- Required mapping of ALL MS4 infrastructure
- Changes in leaf composting and wood waste recycling at municipal maintenance yards
- Changes in the street sweeping schedule
- Inspection requirements for public AND private stormwater facilities to ensure proper maintenance
- Enhanced Best Management Practices (BMPs) for DPW yards.
- Requirement to remove excess small piles of deicing materials/salt from roadways after a snow/ice event
- A dedicated stormwater webpage on the municipal website
- Changes in the employee training schedules for some municipal employees
- Point system changed for calculating the annual point total requirement
- The five attachments from the 2018 MS4 permit have been changed, some of which are now incorporated into the body of the permit (i.e., BMPs for municipal maintenance yards)
- MS4 Infrastructure Map (EDPA + 36 months)
- Watershed Improvement Plan
- Two new ordinances:
 - Private salt storage (EDPA + 12 months)
 - Tree removal/replacement (EDPA + 12 months)

NJDEP'S MUNICIPAL STORMWATER PERMIT – NEW ORDINANCES



- ❑ The permittee shall adopt and enforce the following community-wide ordinances on or before EDPA + 12 months:
 - ❑ Privately-Owned Salt Storage Ordinance: Adopt and enforce an ordinance requiring that piles of salt and other solid (granular) de-icing materials, which are not stored in a permanent structure, be covered by tarping when not in use and secured in a way that prevents its exposure to rain, snow, or stormwater run-on.
 - ❑ Tree Removal/Replacement Ordinance: Adopt and enforce an ordinance to control tree removal and replacement to reduce stormwater run-off and pollutants, and to promote infiltration of rainwater into the soil.
- * The previous “Privately-Owned Refuse Container/Dumpster” ordinance has been downgraded to “Optional”.

NJDEP'S MUNICIPAL STORMWATER PERMIT – NEW ORDINANCES



NJDEP'S MUNICIPAL STORMWATER PERMIT – NEW ORDINANCES



NJDEP'S MUNICIPAL STORMWATER PERMIT – STREET SWEEPING



- ❑ **Triannual Street Sweeping:** The permittee shall sweep, at a minimum of once every four months, or more frequently as necessary to eliminate recurring problems, all segments of concrete and/ or asphalt roads that are owned or operated by the permittee and have storm drain inlets that discharge to surface water.
 - ❑ Not required for gravel, dirt, or tar and chip roads.
 - ❑ Begin this sweeping program on or before EDPA + 36 months.
- ❑ **Annual Street Sweeping:** The permittee shall sweep, at a minimum of once per year, or more frequently as necessary to eliminate recurring problems, all segments of roads that are owned or operated by the permittee, that do not have storm drain inlets that discharge to surface water.
 - ❑ Begin on or before EDPA + 36 months.

NJDEP'S MUNICIPAL STORMWATER PERMIT – DE-ICING MATERIALS



- ❑ **Excess De-Icing Material Management:** The permittee shall remove, within 72 hours after the end of the storm event, conditions permitting, piles of excess salt and deicing materials that have been deposited during spreading operations (i.e., piles resulting from accidental spillage or when spreading equipment is started or stopped) on all streets and parking areas owned or operated by the permittee.
 - ❑ Begin this sweeping program on the EDPA.

NJDEP'S MUNICIPAL STORMWATER PERMIT – DE-ICING MATERIALS



NJDEP'S MUNICIPAL STORMWATER PERMIT – MUNICIPAL MAINTENANCE YARDS (MMY)



- ❑ **Documenting Best Management Practices:** Each MMY and ancillary operation shall be identified by its own form in the SPPP which shall include a description of the site-specific activities and associated BMPs.
 - ❑ Begin this program on the EDPA. New Tier A - EDPA + 12 months.
- ❑ **Site Inspections:** Inspect the entire site, including the site periphery, monthly (under both dry and wet conditions, when possible), and identify conditions that would contribute to stormwater contamination, illicit discharges, or negative impacts.
 - ❑ Begin this program on the EDPA. New Tier A - EDPA + 12 months.

NJDEP'S MUNICIPAL STORMWATER PERMIT – MUNICIPAL MAINTENANCE YARDS (MMY)



- ❑ **Bulk Liquid Storage:** The permittee shall have secondary containment (e.g., spill containment dikes, double walled tanks, etc.) for all aboveground storage tanks containing bulk liquid (including but not limited to gasoline, diesel fuel, heating oil, hydraulic oil, used oil and liquid de-icing materials). The containment area must be impervious and be able to contain the volumetric capacity of at least 110% of the largest tank's capacity within the containment area. All accessory pipes, hoses, valves, and pumps must also be located within the containment area.
 - ❑ Begin this program on the EDPA. New Tier A - EDPA + 12 months.
- ❑ **Salt and Other Granular De-icing Material Storage and Handling:**
 - ❑ Preventing the exposure of stored salt and other granular de-icing material to rain, snow, or stormwater run-on.
 - ❑ Preventing and/or minimizing spillage.
 - ❑ Minimizing tracking of materials from loading and unloading operations
 - ❑ Minimizing loader travel distance between storage area and spreading vehicle
 - ❑ Sweeping/dry cleaning the areas surrounding the de-icing storage structure after loading and unloading
 - ❑ Restricting the temporary outdoor storage of salt and other granular de-icing materials.

NJDEP'S MUNICIPAL STORMWATER PERMIT – MS4 MAPPING



- ❑ **MS4 Mapping:** The permittee shall develop, update, and maintain an MS4 Infrastructure Map that delineates the location of the following stormwater features that are owned or operated by the permittee, including their associated attributes noted in parentheses:
 - ❑ MS4 outfalls (receiving surface water name, type of outfall);
 - ❑ MS4 ground water discharge points (type);
 - ❑ MS4 interconnections (type into/from, entity);
 - ❑ Storm drain inlets (type, catch basin present, label present, retrofitted);
 - ❑ MS4 manholes;
 - ❑ MS4 conveyance (type, direction of flow);
 - ❑ MS4 pump stations;
 - ❑ Stormwater facilities (type); and
 - ❑ Property boundaries of maintenance yard(s) and other ancillary operations (type).

NJDEP'S MUNICIPAL STORMWATER PERMIT – MS4 MAPPING



❑ MS4 Map Requirements:

- ❑ Reviewed annually, or more frequently as necessary, and updated to include the location or attributes of any new or newly identified MS4 infrastructure
- ❑ Posted on the permittee's stormwater webpage and included as a weblink within the SPPP
- ❑ Submitted electronically to the Department as a georeferenced shapefile, geodatabase, or an AutoCAD file (with all other non-applicable data stripped out). If the DEP Mapping Application (https://www.nj.gov/dep/dwq/msrp_map_aid.htm) is used, then no submittal is required as the data is automatically submitted to the Department via the mapping application
- ❑ Provided to the Department on or before EDPA + 36 months (now January 1, 2026)
 - ❑ Existing permittees: This time frame does not extend the deadline of December 21, 2020, for the submission of the MS4 outfall pipe map.

Deliverables Timelines - 2023 MS4 Tier A Permit

Permit Citation	Description	New, Modified, or Unchanged from 2018 MS4 Tier A Permit	Included in Tier B	Compliance Schedule for Existing Tier A's	Compliance Schedule for New Tier A's
IV.A.2. Stormwater Pollution Prevention Plan Requirements	Submit an updated SPPP electronically to the Department and post on your municipal website	Modified	No	EDPA + 6 months	EDPA + 12 months
IV.B.1. Public Involvement, Participation, & Notice	Comply with applicable State and local public notice requirements	Unchanged	Yes	EDPA	EDPA
IV.B.2. Municipal Stormwater Webpage	Develop a dedicated stormwater webpage that contains links to all materials listed in IV.B.2.a. in one place	Modified	No	EDPA + 3 months	EDPA + 12 months
IV.C.1. Local Public Education and Outreach	Implement a Public Education and Outreach Program	Unchanged	Yes	EDPA	EDPA
IV.D.1. Construction Site Stormwater Runoff	Obtain Construction Activity NJPDES Stormwater General Permit or individual permit for construction site stormwater runoff activities	Unchanged	Yes	EDPA	EDPA
IV.E.1. Post Construction Stormwater Management in New Development and Redevelopment	Comply with N.J.A.C. 7:8 - develop, update, implement and enforce the following: a Stormwater Management Program to address post construction stormwater runoff, a Municipal Stormwater Management Plan (MSWMP), a Stormwater Control Ordinance (SCO), and if applicable, a Mitigation Plan; the same individual may not design AND review stormwater management projects	Modified	Yes	EDPA	EDPA
IV.F.1.a. Community Wide Ordinances (pre-existing)	Adopt and enforce ordinances for proper management of Pet Waste, Wildlife Feeding, Litter Control, Improper Disposal of Waste, Yard Waste, Private Storm Drain Inlet Retrofitting, and Illicit Connection	Unchanged	No	EDPA	EDPA + 16 months
IV.F.1.b. Community Wide Ordinances (new)	Adopt and enforce ordinances for proper management of Salt Storage Ordinance and Tree Ordinance	New	No	EDPA + 16 months	EDPA + 16 months

Table to be continued here:

<https://dep.nj.gov/wp-content/uploads/njpdes-stormwater/final-deliverables-timeline-2023-ms4-tier-a-permit.pdf>

Stormwater Permit Compliance

DPW YARD/RECYCLING YARD MONTHLY INSPECTION RECORD

Municipality Name: _____

Year _____

	Inspection Criteria	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Notes/Corrective Actions
	Date													<—Enter date (1-31)
	Time													
1	Uncontaminated stormwater discharge from fuel/chemical storage secondary containment													
2	Fueling Operations													
3	Vehicle/Equipment Maintenance and Repair													
4	Vehicle-wash wastewater containment													
5	Salt and Other Granular De-icing Materials													
6	Aggregate Material/Wood Chips/Finished Leaf Compost													
7	Cold Patch Asphalt													
8	Street Sweepings and Storm Sewer Cleanout Materials													
9	Construction and Demolition Waste/Wood Waste/Yard													
10	Scrap Tires													
11	Inoperable Vehicles and Equipment													
12	Other Non Compliance with the MS-4 Permit.													
	Inspector's initials													

Version 2.0, Dec 2023

Enter Y (Yes) for items Compliant or N (No) for items Not Compliant with SPPP and MS4 Permit; NA for items not applicable
Items marked N require corrective action

A copy of the monthly DPW Inspection Checklist can be found here:

http://njejif.org/images/MonthlyYardInspectionForm_Tier_A_SW_Municipal_Permit-Final_09062023.pdf

NJDEP'S MUNICIPAL STORMWATER PERMIT – WATERSHED IMPROVEMENT PLAN



- ❑ **Watershed Improvement Plan:** The permittee shall develop a Watershed Improvement Plan in the three phases specified below that describes what actions the permittee will take to:
 - ❑ Improve water quality by reducing the contribution of pollutant parameters for all receiving waters within and bordering the town that have percent reductions listed for stormwater in the Total Maximum Daily Loads
 - ❑ TMDL Look-up Tool: <https://www.nj.gov/dep/dwq/msrp-tmdl-rh.htm>
 - ❑ Improve water quality by reducing the contribution of pollutant parameters for all receiving waters within and bordering the town that have water quality impairments as per the Department's Integrated Report.
 - ❑ 303(d) list portion of the Department's Integrated Report: https://www.epa.gov/sites/default/files/2020-01/documents/2016_final_integrated_report_appendix_b.pdf
 - ❑ Reduce and/or eliminate stormwater flooding in the municipality, prioritizing the areas of flooding for corrective actions based on threat to human health and safety, environmental impacts, and frequency of occurrence
 - ❑ EDPA + 36 months (now January 1, 2026)

NJDEP'S MUNICIPAL STORMWATER PERMIT – WATERSHED IMPROVEMENT PLAN



- ❑ **Phase 1 – Watershed Inventory Report (Template):** The permittee shall develop a Watershed Inventory mapping all stormwater infrastructure, receiving water bodies, etc, and submit to the NJDEP by January 1, 2026.
 - ❑ https://dep.nj.gov/wp-content/uploads/njpdcs-stormwater/wip/draft-template_watershed-inventory-report-phase-1-wip.pdf
- ❑ **Phase 2 – Watershed Assessment Report (under development):** The permittee shall develop an assessment report evaluating the inventory identified in Phase 1 to identify potential projects for stormwater management.
- ❑ **Phase 3 – Watershed Improvement Plan (under development):** The permittee shall identify projects – structural and non-structural for meeting the goals of the Plan.

NJDEP'S MUNICIPAL STORMWATER PERMIT – WATERSHED IMPROVEMENT PLAN



☐ Phase 1 – Watershed Inventory Report (Template):

- ☐ Watershed Inventory Report, highlighting which features will need to be submitted electronically to the Department in addition to the MS4 Infrastructure Map on **January 1, 2026.**

NJDEP'S MUNICIPAL STORMWATER PERMIT – WATERSHED IMPROVEMENT PLAN



<i>Required Data</i>	<i>Data Source</i>
1. All stormwater outfalls owned/operated by the permittee	MS4 Infrastructure Map
2. Drainage area for each permittee owned/operated outfall	Topography ArcGIS Solutions/ArcHydro
3. Receiving waterbodies of those outfalls	NJ-WET NJDEP Open Data
4. Water quality classification of all receiving waterbody segments	NJ-WET NJDEP Open Data
5. All stormwater interconnections from the permittee's MS4 system into another entities' storm or sanitary sewer system	MS4 to MS4 interconnections acquired in MS4 Infrastructure Map, private interconnection(s) needed
6. The drainage area for each interconnection into another entities' storm or sanitary sewer system	Topography ArcGIS Solutions/ArcHydro
7. All stormwater interconnections into the permittee's system from another entities' storm sewer system	MS4 to MS4 interconnections acquired in MS4 Infrastructure Map, private interconnection(s) needed
8. All storm drain inlets owned/operated by the permittee	MS4 Infrastructure Map
9. Area associated with each TMDL for waters that lie within or bordering the permittee's property(s)/jurisdiction	NJ-WET NJDEP Open Data
10. Area associated with each water quality impairment for waters that lie within or bordering the permittee's property(s)/jurisdiction	NJ-WET NJDEP Open Data
11. Overburdened communities	NJ-WET NJDEP Open Data EJMAP
12. Impervious areas	NJ-WET NJDEP Open Data
13. Location and ownership of all stormwater infrastructure not owned or operated by the permittee	H&H Database

Violations (pg 3 of 25)

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198034 R9 0 - MS4 - Tier A Municipal Stormwater (GP)

Requirement	Status RTC	Results or Comments	Reqt Source Ref # Req. Type
Does the SPPP document all shared or contracted services as allowed under Part IV.A.3, of the permit?. [N.J.A.C. 7:14A-6.2(a)1]	IC	contract with Audubon for combined public works	DST 220001 17 T
Does the SPPP note the location of all records/ documentation required by the permit?. [N.J.A.C. 7:14A-25.6]	IC		DST 220001 18 T
Does the SPPP reflect the measurable goals, implementation schedules, recordkeeping, and other requirements of the permit?. [N.J.A.C. 7:14A-25.6]	IC		DST 220001 19 T
Did the permittee electronically submit the SPPP? (Existing Tier A permittees by EDPA + 6 months. New Tier A permittees by EDPA + 12 months.) . [N.J.A.C. 7:14A-25.6]	OC	Failure to electronically submit the SPPP. (Existing Tier A permittees by EDPA + 6 months. New Tier A permittees by EDPA + 12 months.)	DST 220001 20 T
Did the permittee review the SPPP at least annually and make updates to reflect changes in the MS4 stormwater program?. [N.J.A.C. 7:14A-25.6]	OC	Failure to review the SPPP at least annually and make updates to reflect changes in the MS4 stormwater program. Last revision was 2018.	DST 220001 21 T
Did the permittee incorporate revisions into the SPPP and record the revision on the SPPP revisions page?. [N.J.A.C. 7:14A-25.6]	ON		DST 220001 23 T
Did the permittee electronically submit an updated/ amended SPPP within thirty (30) days of making updates/amendments?. [N.J.A.C. 7:14A-25.6]	DC	will submit	DST 220001 25 T
Did the permittee address deficiencies identified by The Department in the SPPP within thirty (30) days of notice by The Department?. [N.J.A.C. 7:14A-25.6]	DC		DST 220001 26 T
Did the permittee require the other entity to implement best management practice(s), control measure(s), or component(s) thereof, which are at least as stringent and as frequent as the corresponding permit requirement?. [N.J.A.C. 7:14A-25.7]	IC	inlet inspections are performed by Audubon public works	DST 220001 29 T
Does the permittee have written agreements with the entities implementing BMPs or control measures on behalf of the permittee? List any other entity(ies) implementing BMP(s) or control measure(s) on behalf of the permittee. [N.J.A.C. 7:14A-25.7]	IC		DST 220001 30 T
Does the permittee specify in its SPPP (1) which permit conditions will be implemented by another entity and (2) the name of the responsible entity?. [N.J.A.C. 7:14A-25.7]	IC		DST 220001 31 T

IC - In Compliance	ND - Compliance Not Determined	N - No	NA - Not Applicable	PV - Potential Violation	H - Heading	NI - Not Inspected
NC - No Obvious Concern	ON - Out of Compliance, Non-referred	Y - Yes	OC - Out of Compliance	DC - Data Collection	S - Sub-Heading	RTC - Return to Compliance

NJDEP'S MUNICIPAL STORMWATER PERMITS/RENEWALS



Presented By:

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First Environment



Areas of Expertise

- Environmental regulatory compliance
- Environmental multimedia compliance audits
- Waste management
- Feasibility studies for anaerobic digesters
- Environmental resource recovery
- Public/private partnership development
- Sustainability planning
- Training



WEBSITE:

New Jersey Environmental Risk Management Fund



Take a tour of the NJ EJIF Website at <http://www.njejif.org/>

NJ EJIF

New Jersey Environmental Risk Management Fund

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Environmental Joint Insurance Fund

The New Jersey Municipal Environmental Risk Management Fund (EJIF) was established by property and casualty joint insurance funds to provide their member public entities and utility authorities with environmental coverages.

[Compliance News & Updates:](#)

Environmental Alert - March 2022: Tier A Municipal Stormwater General Permit Renewal

Environmental Alert - March 2021: Environmental Impacts of NJ Legalized Cannabis

2020-01 - AST Underground Piping Testing Requirement

Environmental Alert – July 2020: NJDEP Changes Municipal Stormwater Management Regulations

Questions?

