



# ENVIRONMENTAL JOINT INSURANCE FUND

---

Presented to:  
Gloucester, Salem & Cumberland Counties (TRICO)  
Municipal Joint Insurance Fund  
TRICO JIF Planning Retreat  
July 25, 2023

# General Program Services

- ▶ Works with the NJDEP to discuss the goals and methods for stormwater pollution prevention and water quality improvement
- ▶ Stays involved with a “seat at the table” during Municipal Separate Stormwater Sewer System (MS4) permit development
- ▶ Assists with stormwater compliance through the EJIF inspection program
- ▶ Created the current NJDEP Employee Training program

**IN ADDITION: New Initiatives. Polyfluoroalkyl substances (PFAs)**

# EJIF RISK SERVICES: Regulatory Guidance



- ❑ Resource for additional information on compliance with environmental regulations
  - ❑ Resource: Full-service environmental consulting firm
- ❑ Serves as an intermediary with environmental agencies (USEPA, NJDEP)
- ❑ Developed the *Municipal Storm Water Training Program* video used by the NJDEP
- ❑ Currently working with the NJDEP on NEW stormwater training videos to meet the new 2023 MS4 municipal permit
- ❑ Provides educational seminars to assist in understanding of complex environmental programs and requirements
- ❑ Keeps your environmental compliance programs up to date with changing regulations

# EJIF RISK SERVICES: Seminars



- ❑ Seminars provide ongoing education on environmental regulations, which impact municipal operations
- ❑ Continuing Education Units (CEUs) offered

## Previous Seminar Topics

<ul style="list-style-type: none"><li>• Staying in Compliance</li></ul>	<ul style="list-style-type: none"><li>• Recycling Centers</li></ul>
<ul style="list-style-type: none"><li>• EJIF Updates for Coverage, New Permitting Requirements &amp; Resources</li></ul>	<ul style="list-style-type: none"><li>• Storm Water Pollution Prevention Plan Program Writing &amp; Management</li></ul>
<ul style="list-style-type: none"><li>• Compliance at Public Works Facilities</li></ul>	<ul style="list-style-type: none"><li>• Regulatory Updates</li></ul>
<ul style="list-style-type: none"><li>• Environmental Auditing</li></ul>	<ul style="list-style-type: none"><li>• Storage Tanks</li></ul>
<ul style="list-style-type: none"><li>• Environmental Emergency Response Support</li></ul>	<ul style="list-style-type: none"><li>• Spill Prevention, Control &amp; Countermeasures (SPCC) Regulations</li></ul>
<ul style="list-style-type: none"><li>• Brownfields Redevelopment</li></ul>	

# EXAMPLE OF EJIF'S IMPACT ON MUNICIPALITIES



Before



After



1. Avoided potential ground water and storm water contamination
2. Avoided potential costly clean up as well as fines and penalties
3. More than 25 years of positive results, utilizing EJIF resources

# 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



# HOW WILL MS4 NJPDES PERMIT REDUCE POLLUTANT DISCHARGES TO SURFACE WATER?



- ❑ Stormwater run-off (water from precipitation that does not soak into the ground or evaporate) can carry with it pollutants, such as fertilizers, sediments, and oils from lawns and roadways, and deposit them in nearby waterways, such as lakes, rivers, bays and the ocean.



# HOW WILL MS4 NJPDES PERMIT REDUCE POLLUTANT DISCHARGES TO SURFACE WATER?



- ❑ These pollutants negatively impact local surface water ecology and impair the ability of citizens to enjoy the local waterways for recreation and fishing.





# HOW WILL MS4 NJPDES PERMIT REDUCE POLLUTANT DISCHARGES TO SURFACE WATER?

- ❑ The intent of the MS4 NJPDES permit is to limit and/or reduce the discharge of these pollutants to waterways. This is accomplished by:
  - ❑ Controlling and reducing the amount of pollutants available on the surface of soils, commercial areas, roads and other areas to minimize the amount of pollutant run-off.
  - ❑ Implementing public education programs to teach residents how NOT to pollute
  - ❑ Addressing specific stormwater-related pollutants
  - ❑ Reducing flooding and increasing ground water recharge when implementing post construction stormwater management measures

# 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

- 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 PERMITS/RENEWALS: EMPLOYEE TRAINING



- ❑ Training for municipal employees involved with stormwater-related activities remains an annual requirement
- ❑ The EJIF developed a stormwater training program. Completion of this training is accepted by the NJDEP to meet this requirement
- ❑ Additional Training is available through the NJDEP:
  - ❑ Stormwater Management Design Review Training – for municipal engineers and designers to understand and enforce compliance with stormwater management rules and best management practices (BMPs); required once every five years
  - ❑ Municipal Board and Governing Body Member Related Training – for municipal board and council members that review and approve development and redevelopment projects; must complete training posted under NJDEP's website within 6 months of commencing duties and once per term of service, thereafter
- ❑ In addition to EJIF and NJDEP training noted above, multiple stormwater webinars are available to the general public through the MEL Safety Institute



- 📺 Stormwater: An Introduction
- 📺 Stormwater: Local Public Education
- 📺 Stormwater: Maintenance
- 📺 Stormwater: Post Construction Management
- 📺 Stormwater: Improper Disposal
- 📺 Stormwater: Solid and Floatable Controls

# 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)



- ❑ **Inventory List**: maintain a list of all materials and machinery which could be a source of pollutants in a stormwater discharge, including but are not limited to:
  - ❑ Raw materials, intermediate products, final products, waste materials, by-products, machinery and fuels, lubricants, solvents, and detergents.
- ❑ Materials or machinery that are not exposed to stormwater (i.e., stored in a permanent structure) do not need to be included.
  - ❑ Begin this program on the EDPA. New Tier A - EDPA + 12 months.
- ❑ **Spill Kits**: The permittee shall conduct cleanups of spills of liquids or dry materials immediately after discovery. Spills that are suspected to be a threat to human health or the environment shall be immediately reported to the NJDEP Hotline at 1-877-WARNDEP (1-877-927-6337).
  - ❑ 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 – MUNICIPAL MAINTENANCE YARDS (MMY)



## ☐ In addition to BMPs for:

- ☐ Fueling Operations
- ☐ Secondary Containment Discharges
- ☐ Vehicle Maintenance
- ☐ Cold Patch Storage
- ☐ Street Sweepings
- ☐ Scrap Tires
- ☐ Inoperable Vehicles
- ☐ Outdoor Refuse Containers and Dumpsters

# 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](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
  - ❑ Existing permittees: This time frame does not extend the deadline of December 21, 2020, for the submission of the MS4 outfall pipe map.

# 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](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

# NJDEP'S MUNICIPAL STORMWATER PERMIT – ADDITIONAL MEASURES



## ❑ The Usual:

- ❑ Outreach and Education
- ❑ Training
- ❑ Inspections for outfalls, scouring and stormwater structures
- ❑ Environmental Justice Components
- ❑ Annual Report and Certification

# QUICK UPDATE

## PER- and POLYFLUROALKYL SUBSTANCES



### ❑ NJDEP:

- ❑ Surface Water Quality Standards, N.J.A.C. 7:9B
- ❑ Ground Water Quality Standards, N.J.A.C. 7:9C
- ❑ Drinking Water Quality Standards, N.J.A.C. 7:10
- ❑ Soil Remediation Standards, N.J.A.C. 7:26D

# QUICK UPDATE

## PER- and POLYFLUROALKYL SUBSTANCES



### □ USEPA:

- Action to prevent new, unsafe PFAs from entering the market
- Proposed National drinking water standard
- Proposed Hazardous Substance Designation under CERCLA
- Effluent Limitations Guidelines – Landfills, POTWs



# QUICK UPDATE

## PER- and POLYFLUROALKYL SUBSTANCES



### □ Market/EJIF:

- New Jersey Reaches 'Historic' \$393M PFAS Settlement With Solvay (Camden/Gloucester Counties – West Deptford facility)
- 3M to Pay Up to \$10.3 Billion to Settle PFAS Water Drinking Claims
- DuPont, Spinoffs To Pay \$1.19B in PFAS in Drinking Water Settlement
- EJIF is looking at ways to coordinate applying for settlements for damages and infrastructure upgrades

# NJDEP'S MUNICIPAL STORMWATER PERMITS/RENEWALS



Presented By:

Rich Erickson, Senior Associate  
First Environmental



## 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

**FIRST  
ENVIRONMENT**

# 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

- Home
- Environmental Information
- Claims Procedures
- Executive Committee
- Standing Committees
- Fund Professionals
- Membership
- Meeting Schedule
- Coverage
- Public Bids
- Bulletins
- Financial Audits
- Annual Budgets

### 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?

