

NJDEP Enforcing Illicit Connection Elimination Program

OCTOBER 2011

The New Jersey Department of Environmental Protection (NJDEP) is taking a closer look at the Tier A Stormwater Permit that required a majority of towns to inspect all municipally-owned outfalls and investigate any potential illicit connections to their stormwater system.

According to the Tier A Permit, an illicit connection is “any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater)” to the municipality’s storm sewer system.

Illicit connections may include wastewater interconnections from homes or businesses, industrial effluent, run-off from construction activities, and vehicle washing from commercial and non-exempt municipal operations. Certain discharges such as potable water line flushing, irrigation water and residential vehicle washing, sump pumps, and down-spout connections are among discharges that are allowed.

All municipally-owned outfalls should have been inspected during the first permit cycle (2004-2009) for dry weather flow (i.e. flow appearing more than 72 hours after a rain event), or signs of intermittent flow (e.g. staining, odors, or deterioration of the structure). Dry weather flow and intermittent flow are indications of a potential illicit connection to the storm sewer system. Each inspection was required to be documented on the NJDEP Illicit Connection Inspection Form. If a suspected illicit connection was identified, these forms were to be submitted to the NJDEP with the Municipality’s Annual Report and Certification Form. All records are also to be stored with your Stormwater Pollution Prevention Plan (SPPP).

This year, the NJDEP is following up on all previously reported illicit connection inspections. If your town has not conducted further investigation of suspected illicit connections found during the first permit cycle, now is the time to do it. According to your permit, “all investigations must be resolved.” Your municipality must prove to NJDEP that a good faith effort was made to determine the source of identified non-stormwater discharges. If you discover that an identified discharge is permitted, there is no further action required. If the source of the discharge could not be located within six (6) months, your town was required to



submit a NJDEP Closeout Investigation Form documenting the efforts made during the investigation.

Additionally, if intermittent flow was observed during the initial investigation, the Municipality must document to NJDEP that a minimum of three (3) separate investigations were made to observe the discharge when it was flowing. If the Municipality was unable to observe a flow in these locations, a Closeout Investigation Form was required to be submitted noting the attempts at further investigation and periodic re-inspection of the outfall(s) should be conducted

All forms can be located on the NJDEP website:
http://www.nj.gov/dep/dwq/tier_a_forms.htm.

For further information regarding the requirements of your Municipal Stormwater Permit, please visit www.njejif.org or www.tinyurl.com/EJIF-envregs.

For Additional Information, please contact:

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