

PUBLIC NOTICES

ENVIRONMENTAL PROTECTION

(a)

LAND USE MANAGEMENT

Proposed Amendment to Statewide Water Quality Management Plan – Proposed 2006 Integrated List of Waterbodies (303(d) List)

Take notice that the New Jersey Department of Environmental Protection (Department) is seeking public comment on a proposed 2006 Integrated List of Waterbodies (which includes the 303(d) List of Impaired Waterbodies). This List is intended to satisfy New Jersey's requirement under section 303(d) of the Federal Clean Water Act (33 U.S.C. §1313(d)). The Integrated List of Waterbodies incorporates, as appropriate, information received in response to the Department's January 18, 2005 notice soliciting water quality related data. (See 37 N.J.R. 361(a)).

The proposed 2006 Integrated List of Waterbodies and related documents are available for review from Water Monitoring and Standards, Bureau of Water Quality Standards and Assessment, PO Box 409, 401 East State Street, Trenton, New Jersey, 08625, or from the Department's web site at <http://www.state.nj.us/dep/wmm/sgwqt/wat/integratedlist/integratedlist2006.html>.

The State is required to biennially prepare and submit to USEPA a report addressing the overall water quality of the State's waters in accordance with Section 305(b) of the Federal Clean Water Act (33 U.S.C. §1315(b)). This report is commonly referred to as the 305(b) Report or the Water Quality Inventory Report. The Federal Clean Water Act under Section 303 (d)(1)(A) also requires the State to issue a list of water quality limited waters. This list has been known as the 303(d) List.

New Jersey's proposed 2006 Integrated List of Waterbodies is based upon five sublists and identifies water quality limited surface waters in accordance with N.J.A.C. 7:15-6, Section 303(d) of the Federal Clean Water Act (33 U.S.C. §1313(d)) and the July 2005 USEPA guidance. Sublist 5 of this list is commonly referred to as the 303(d) List. Water quality limited surface waters are waters that do not meet, or are not expected to meet applicable surface water quality standards after the implementation of technology based effluent limits. The State is required to establish total maximum daily loads (TMDLs) for water quality limited surface waters in accordance with a priority ranking. A TMDL establishes wasteload allocations for point sources such as wastewater discharges from treatment plants or industrial facilities; load allocations for nonpoint sources such as stormwater runoff or snow melt, and includes a margin of safety and, if appropriate, a reserve capacity. The TMDL process is set forth at N.J.A.C. 7:15-7. The purpose of the TMDL is to establish a management strategy to ensure the waterbody meets the applicable surface water quality standards.

Waterbodies with approved TMDLs are placed on Sublist 4A. The proposed 2006 Integrated List includes only those waterbodies with TMDLs approved by USEPA prior to April 1, 2006. A list of proposed TMDLs can be found at <http://www.nj.gov/dep/watershedmgt/tmdl.htm>.

The 2006 Integrated List of Waterbodies is the third phase in the development of the 2006 Integrated Water Quality Monitoring and Assessment Report. The first phase began with the solicitation of water quality related data to support the development of the Integrated List. The Department provided notice in the New Jersey Register (37 N.J.R. 361(a)) and the Department's website on January 18, 2005. Data collected as of December 31, 2004 was accepted up to July 17, 2005. Any data received after that date will be used for subsequent assessments.

During the second phase, the Department updated the 2004 Integrated Water Quality Monitoring and Assessment Methods Document. The goal of this methods document is to provide an objective and scientifically sound waterbody assessment methodology. This document includes a

description of the quality assurance requirements as well as methods used to evaluate water quality data and assess water quality standards attainment. Additionally, the document includes the rationale for the placement of waterbodies in Sublists 1 through 5.

The assessment methods and spatial extent evaluations used to develop the 2006 Integrated List of Waterbodies has been significantly enhanced. The listings will be based on subwatersheds (HUC14s) rather than the river miles associated with a specific monitoring location. By creating a master list of waterbodies or subwatersheds, the Department will be able to better prioritize monitoring needs in watersheds that are unassessed and track improvements over time. The Department invited public comment on the draft 2006 Integrated Water Quality Monitoring and Assessment Methods Document in the New Jersey Register on September 19, 2005 (37 N.J.R. 3733(b)). A 30-day comment period was provided. After review and consideration of comments received on the proposed 2006 Integrated Water Quality Monitoring and Assessment Methods Document, the Department finalized the Integrated Water Quality Monitoring and Assessment Methods Document and prepared the proposed 2006 Integrated List of Waterbodies.

The Integrated List of Waters is a proposed amendment to the Statewide Water Quality Management Plan as part of the Department's continuing planning process pursuant to the Water Quality Planning Act at N.J.S.A. 58:11A-7. After review and consideration of comments received on the proposed 2006 Integrated List of Waterbodies, the Department will prepare the 2006 Integrated Water Quality Monitoring and Assessment Report which will include the finalized Integrated List and the Methods Document as well as other 305(b) components such as use attainment, source and cause and program information.

Interested persons should submit written comments on the Integrated List to Debra Hammond at Water Monitoring and Standards, Bureau of Water Quality Standards and Assessment, PO Box 409, 401 East State Street, Trenton, New Jersey, 08625. All comments must be submitted by May 31, 2006.

An information meeting on the List will be held on Thursday, May 4, 2006 at 3:30 P.M. in:

Public Hearing Room (First Floor)
New Jersey Department of Environmental Protection
401 East State Street
Trenton, New Jersey 08625

(b)

OFFICE OF NATURAL RESOURCE RESTORATION

Notice to Receive Interested Party Comments on Compensatory Restoration Administrative Consent Order for Natural Resource Damage in Atlantic County, Cape May County, Cumberland County and Salem County

Take notice that the New Jersey Department of Environmental Protection (NJDEP) hereby gives notice of a proposed Compensatory Restoration Administrative Consent Order (CRACO) concerning injury to natural resources at 12 Riggins Sites located in Cape May (former Cape May Gulf Gasoline Station), Dennis Township (Ocean View Exxon), Egg Harbor Township (Cardiff Gasoline Station), Franklin Township (Malaga Gasoline Station), Lower Township (Villas Gasoline Station), Middle Township (Cape May Court House Gasoline Station), Millville (Holly City Gulf Gasoline Station), Pennsville Township (former Pennsville Bulk Plant and Gasoline Station), Quinton Township (Quinton Gasoline Station), and Vineland (former Gasoline Station at 2820 S. Main Road, former N. Delsea Gasoline Station, and Vineland Bulk Plant).