

# **Appendix D: Coastal Zone Consistency and Permit Correspondence**

- DOCUMENT 1: Federal Consistency Determination Submittal to NJDEP
  - DOCUMENT 2: Federal Consistency Checklist
  - DOCUMENT 3: Federal Consistency Approval Letter
  - DOCUMENT 4: NJDEP Permit Readiness Checklist



**FEMA**

September 10, 2013

Mr. David B. Fanz, Assistant Director  
Mail Code 501-02A  
Department of Environmental Protection  
Division of Land Use Regulation  
P.O. Box 420  
Trenton, New Jersey 08625-0420

SUBJECT: FEMA DR-4086-NJ  
Federal Consistency Determination  
Public Assistance  
Passaic Valley Sewerage Commission – Newark Sewerage Treatment  
Facility

Dear Mr. Fanz,

In response to the severe flooding, wind, and storm damages brought upon by Superstorm Sandy on October 29, 2012, as well as the ensuing snowstorm that further damaged the communities of New Jersey, the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) intends to reimburse applicants for eligible costs associated with rehabilitation, reconstruction, elevation, and mitigation of private property under the Public Assistance (PA) program.

FEMA is evaluating a proposed Public Assistance project for the Passaic Valley Sewerage Commission's (PVSC) Newark Sewerage Treatment Facility in Essex County, NJ. The proposed project is located within the Coastal Area Facility Review Act (CAFRA) zone. A Coastal Zone Consistency Statement as well as project information, maps, engineering plans, and photos are enclosed for your office's review.

In October of 2012, the 140+ acre regional wastewater treatment plant was severely damaged during Superstorm Sandy. A twelve foot storm surge from Newark Bay inundated the facility, isolating and flooding buildings, and destroying vehicles, inventory, and equipment. The main utility power feed and back-up power to an onsite substation were lost during the storm, shutting down power to the entire plant. Floodwaters entered the Plant's process galleries and utility/infrastructure tunnel system, damaging cabling, process equipment, dewatering pumps, maintenance equipment, mechanical equipment, process transmission piping, electrical equipment, and control

equipment. The facility was rendered inoperable for a period of several weeks and as of this date has yet to return to fully operational status.

FEMA has funded, or is in the process of funding, return to pre-disaster repairs and reconstruction of PVSC's Newark Sewerage Treatment Facility. The "Floodwall and On-Site Standby Power System" are being proposed in order to mitigate against a "loss of function" from similar hazards in the future. The proposed floodwall, constructed around the perimeter of the PVSC Plant, will protect all critical plant infrastructure, and the standby power system will ensure power to operate during disruption of the electrical power grid. These two mitigation measures will combine to protect PVSC from similar types of hazards and prevent a loss of function to the Plant's treatment & process system during a future flood event.

FEMA has determined that the proposed action is consistent with New Jersey Department of Environmental Protection's (NJDEP) Coastal Zone Management Rules N.J.A.C. 7:7E. The proposed action would not result in significant adverse effects to the special areas as defined in the Coastal Zone Management Rules. FEMA requests a Federal consistency determination from NJDEP's Division of Land Use Regulation Program under Section 307 of the Federal Coastal Zone Management Act (CZMA), 16 U.S.C. 1451 et seq. for the proposed action. The Federal consistency determination needed to award the grant does not eliminate PVSC's responsibility to obtain all applicable Federal, state and local permits prior to construction implementation, including any necessary permits from NJDEP. FEMA has the capability to approve grants with the condition that all applicable permits will be obtained by the grant applicant prior to construction; therefore, we are seeking a general concurrence from your office in accordance with the CZMA to satisfy our federal agency legal responsibilities prior to grant award.

FEMA looks forward to your office's concurrence with FEMA's Federal consistency determination statement for the proposed action. If you have any questions regarding the proposed Federal grant project, please do not hesitate to contact me at (503) 320-2438 or at [Bert.Bowen@fema.dhs.gov](mailto:Bert.Bowen@fema.dhs.gov).

Sincerely,



Bert Bowen  
Environmental Historic Advisor  
FEMA DR-4086-NJ

**Enclosures: CZM Statement, Maps, Engineering Plans, and Photographs**



**State of New Jersey**  
**Department of Environmental Protection**  
 Division of Land Use Regulation Application Form (LURP-2)  
 501 E. State Street Mail Code 501-02A P.O. Box 420  
 Trenton, NJ 08625-0420  
 www.nj.gov/dep/landuse



**PLEASE PRINT OR TYPE THE FOLLOWING:** (Complete all sections unless otherwise noted)

1. **Applicant Name:** FEMA and Passaic Valley Sewerage Commission Email: BMcKenna@pvsc.nj.gov  
 Address: 600 Wilson Avenue City: Newark  
 State: NJ Zip: 07105 Daytime Phone: 973-817-5976 Ext.: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

2. **Agent Name:** Tom Zetkolic Firm: PS&S, LLC Email: tzetkolic@psands.com  
 Address: 67B Mountain Boulevard Extension City: Warren  
 State: NJ Zip: 07059 Daytime Phone: 732-584-0338 Ext.: \_\_\_\_\_ Cell Phone: 732-259-2212

3. **Property Owner Name:** Passaic Valley Sewerage Commission c/o Michael DeFrancisci Email: \_\_\_\_\_  
 Address: 600 Wilson Avenue City: Newark  
 State: NJ Zip: 07105 Daytime Phone: 973-817-5976

4. **Project Name:** Passaic Valley Sewerage Commission Federal Consistency Site Location (Street Address): 600 Wilson Avenue  
 Zip: 07105 Municipality: Newark County: Essex  
 Block(s): See Attached List Lot(s): See Attached List Superstorm Sandy related? (Yes/No) No  
 N.A.D. 1983 State Plane Coordinates (feet) 6 digits only: E (x): 595607 N (y): 684505  
 Nearest Waterway: Passaic River Tributary Watershed: 04BB Subwatershed: 07AA02

5. **Fees:** Total Fee: \$0.00 Project Cost: \_\_\_\_\_ Check No: \_\_\_\_\_

6. **Project Description:** Federal Consistency Determination

Waiver Request ID #(s): \_\_\_\_\_

7. **Application(s) for: Check all that apply (Please follow directions on page 5)**

Application Type	Fee Amt	Amt Paid
<b>Flood Hazard Area</b>		
<input type="checkbox"/> FHA Verification		
<input type="checkbox"/> FHA Individual Permit		
<input type="checkbox"/> FHA Hardship Waiver		
<input type="checkbox"/> FHAGP1 / Chan Clean w/o Sed Removal	No Fee	No Fee
<input type="checkbox"/> FHAGP1 / Chan Clean w/Sed Removal	No Fee	No Fee
<input type="checkbox"/> FHAGP2A / Ag - Bank Restoration		
<input type="checkbox"/> FHAGP2B / Ag - Channel Cleaning		
<input type="checkbox"/> FHAGP2C / Ag - Road Crossing		
<input type="checkbox"/> FHAGP2D / Ag - Wetlands Restoration		
<input type="checkbox"/> FHAGP2E / Ag - Livestock Ford		
<input type="checkbox"/> FHAGP2F / Ag - Livestock Fence		
<input type="checkbox"/> FHAGP2G / Ag - Livestock Water Intake		

Application Type	Fee Amt	Amt Paid
<input type="checkbox"/> FHAGP3 / Bridge/Culvert Scour Protection		
<input type="checkbox"/> FHAGP4 / Stormwater Maintenance		
<input type="checkbox"/> FHAGP5 / Building Relocation		
<input type="checkbox"/> FHAGP6 / Rebuild Damaged Home	No Fee	No Fee
<input type="checkbox"/> FHAGP7 / Residential in Tidal FHA		
<input type="checkbox"/> FHAGP8 / Utility Crossing <50acres		
<input type="checkbox"/> FHAGP9 / Road Crossing <50acres		
<input type="checkbox"/> FHAGP10 / Stormwater Outfall <50acres		
<input type="checkbox"/> Revision of a GP, IP or Verification		
<input type="checkbox"/> Transfer of an Approval		
<input type="checkbox"/> FHA Ind Permit Equivalency/CERCLA		
<b>Stormwater Review Fees</b>		
<input type="checkbox"/> Fee for all Stormwater Reviews		

	Application Type	Fee Amt	Amt Paid
	<b>Applicability Determination</b>		
<input type="checkbox"/>	Coastal Jurisdictional Determination	No Fee	No Fee
<input type="checkbox"/>	Highlands Jurisdictional Determination	No Fee	No Fee
<input type="checkbox"/>	Flood Hazard Area Applicability	No Fee	No Fee
<input type="checkbox"/>	Executive Order 215	No Fee	No Fee
	<b>CAFRA</b>		
<input type="checkbox"/>	Individual Permit		
<input type="checkbox"/>	Exemption Request		
<input type="checkbox"/>	Permit Modification		
<input type="checkbox"/>	CAFGP5 / Amusement Pier Exp		
<input type="checkbox"/>	CAFGP6 / Beach/Dune Maintenance		
<input type="checkbox"/>	CAFGP7 / Voluntary Reconstruction		
<input type="checkbox"/>	CAFGP8 / New Single Family or Duplex		
<input type="checkbox"/>	CAFGP9 / Reconstruct Single Fam/Dup		
<input type="checkbox"/>	CAFGP10 / New Bulkhead/Fill Lagoon		
<input type="checkbox"/>	CAFGP11 / Revetment		
<input type="checkbox"/>	CAFGP12 / Gabions		
<input type="checkbox"/>	CAFGP13 / Support Facilities/ Marina		
<input type="checkbox"/>	CAFGP14 / Reconst Bulkhead A/MHWL		
<input type="checkbox"/>	CAFGP15 / Hazard Waste Clean-up		
<input type="checkbox"/>	CAFGP16 / Landfall of Utilities		
<input type="checkbox"/>	CAFGP17 / Recreat Facility Public Park		
<input type="checkbox"/>	CAFGP18/BulkheadConstruct/Fill upland		
<input type="checkbox"/>	CAFGP21 / Shoreline Stabilization		
<input type="checkbox"/>	CAFGP22 / Avian Nesting Structures		
<input type="checkbox"/>	CAFGP23 / Electrical Sub Facility		
<input type="checkbox"/>	CAFGP24 / Legalize Filling of Tidelands		
<input type="checkbox"/>	CAFGP25 / Construct Telecom Tower		
<input type="checkbox"/>	CAFGP26 / Tourism Ind Construction		
<input type="checkbox"/>	CAFGP27 / Geotechnical Borings		
<input type="checkbox"/>	CAFGP29 / Habitat Creation/Enhance		
<input type="checkbox"/>	CAFGP30 / 1 to 3 Turbines < 200 Feet		
<input type="checkbox"/>	CAFGP31 / Wind Turbines < 250 Feet		
<input type="checkbox"/>	Individual Permit Equivalency/CERCLA		
	<b>Waterfront Development</b>		
<input type="checkbox"/>	WDGP10 / New Bulkhead/Fill Lagoon		
<input type="checkbox"/>	WDGP14 / Reconstruct Bulkhead		
<input type="checkbox"/>	WDGP19/Dock/Piers, Boat Lifts Lagoon		
<input type="checkbox"/>	WDGP20 / Minor Maint Dredge Lagoon		
<input type="checkbox"/>	WDGP21 / Shoreline Stabilization		
<input type="checkbox"/>	Individual Permit/Upland		
<input type="checkbox"/>	Individual Permit/Inwater		
<input type="checkbox"/>	Zane Letter		
<input type="checkbox"/>	Modification		
<input type="checkbox"/>	Individual Permit Equivalency/CERCLA		
	<b>Highlands</b>		
<input type="checkbox"/>	Emergency Permit		
<input type="checkbox"/>	Pre-application Meeting		
<input type="checkbox"/>	Preservation Area Approval		
<input type="checkbox"/>	PAA with Waiver		
<input type="checkbox"/>	Resource Area Determination footprint		
<input type="checkbox"/>	Resource Area Determination <acre		
<input type="checkbox"/>	Resource Area Determination >acre		
<input type="checkbox"/>	HPAAGP 1/ Habitat Creation/Enhance		
<input type="checkbox"/>	HPAAGP 2 Bank Stabilization		
	<b>Consistency Determination</b>		
<input type="checkbox"/>	Water Quality Certificate		
<input checked="" type="checkbox"/>	Federal Consistency	No Fee	No Fee
<input type="checkbox"/>	HMC Water Quality Certificate		

	Application Type	Fee Amt	Amt Paid
	<b>Coastal/Tidal Wetlands</b>		
<input type="checkbox"/>	Coastal/Tidal Wetlands Permit		
<input type="checkbox"/>	Coastal Wetland Permit Modification		
	<b>Freshwater Wetlands</b>		
<input type="checkbox"/>	FWGP1 / Main. & repair Exist Feature		
<input type="checkbox"/>	FWGP2 / Utility Crossing		
<input type="checkbox"/>	FWGP3 / Discharge of Return Water		
<input type="checkbox"/>	FWGP4 / Hazard Site Invest/Cleanup		
<input type="checkbox"/>	FWGP5 / Landfill Closure		
<input type="checkbox"/>	FWGP6 / Filling of NSWC		
<input type="checkbox"/>	FWGP6A /TA- Filling of NSWC		
<input type="checkbox"/>	FWGP7 / Fill ditch / swale		
<input type="checkbox"/>	FWGP8 / House Addition		
<input type="checkbox"/>	FWGP9 / Airport Sightline Clearing		
<input type="checkbox"/>	FWGP10A / Very Minor Road Crossing		
<input type="checkbox"/>	FWGP10B / Minor Road Crossing		
<input type="checkbox"/>	FWGP11 / Outfalls / Intakes		
<input type="checkbox"/>	FWGP12 / Survey / Investigation		
<input type="checkbox"/>	FWGP13 / Lake Dredging		
<input type="checkbox"/>	FWGP14 / Water Monitoring		
<input type="checkbox"/>	FWGP15 / Mosquito Control		
<input type="checkbox"/>	FWGP16 / Habitat Create / Enhance	No Fee	No Fee
<input type="checkbox"/>	FWGP17 / Trails / Boardwalks		
<input type="checkbox"/>	FWGP17A / Multiuse paths		
<input type="checkbox"/>	FWGP18 / Dam Repairs		
<input type="checkbox"/>	FWGP19 / Dock or Pier		
<input type="checkbox"/>	FWGP20 / Bank Stabilization		
<input type="checkbox"/>	FWGP21 / Above Ground Utility		
<input type="checkbox"/>	FWGP23 / Expand Cranberry		
<input type="checkbox"/>	FWGP24 / Spring Developments		
<input type="checkbox"/>	FWGP25 / Malfunction Septic System	No Fee	No Fee
<input type="checkbox"/>	FWGP26 / Channel / Stream Clean		
<input type="checkbox"/>	FWGP27 / Redevelop Disturbed Site		
<input type="checkbox"/>	FWGP Modification		
<input type="checkbox"/>	FWGP Extension		
<input type="checkbox"/>	Individual Wetlands Permit		
<input type="checkbox"/>	Individual Open Water Permit		
<input type="checkbox"/>	Individual Permit Mod. Major/Minor		
<input type="checkbox"/>	Individual Permit Extension		
<input type="checkbox"/>	Wetlands Exemption		
<input type="checkbox"/>	Permit Equivalency/CERCLA		
	<b>Letter of Interpretation</b>		
<input type="checkbox"/>	Presence Absence		
<input type="checkbox"/>	Presence Absence Footprint		
<input type="checkbox"/>	Delineation		
<input type="checkbox"/>	Verification		
<input type="checkbox"/>	Extension		
	<b>Transition Area Waiver</b>		
<input type="checkbox"/>	Averaging Plan		
<input type="checkbox"/>	Reduction		
<input type="checkbox"/>	Hardship Reduction		
<input type="checkbox"/>	Special Activity Stormwater		
<input type="checkbox"/>	Special Activity Linear Development		
<input type="checkbox"/>	Special Activity Redevelopment		
<input type="checkbox"/>	Special Activity Individual Permit		
<input type="checkbox"/>	Exemption		
<input type="checkbox"/>	Modification Major/Minor		
<input type="checkbox"/>	Extension		

Both the Applicant and Property owner's section must be filled out for all Land Use Regulation Applications

**A. APPLICANT SIGNATURE**

I certify under penalty of law that the information provided in this document is true and accurate. I am aware that there are significant civil and criminal penalties for submitting false or inaccurate information. (If corporate entity, print/type the name and title of person signing on behalf of the corporate entity.)

  
\_\_\_\_\_  
Signature of Applicant/Owner  
08/01/2013  
\_\_\_\_\_  
Date  
Bridget McKenna, Chief Operating Officer  
\_\_\_\_\_  
Print Name  
600 Wilson Avenue, Newark, NJ 07105  
\_\_\_\_\_  
Print Address

\_\_\_\_\_  
Signature of Applicant/Owner  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Print Name  
\_\_\_\_\_  
Print Address

**B. PROPERTY OWNER'S CERTIFICATION**

I hereby certify that the undersigned is the owner of the property upon which the proposed work is to be done. This endorsement is certification that the owner grants permission for the conduct of the proposed activity. In addition, I hereby give unconditional written consent to allow access to the site by representatives or agents of the Department for the purpose of conducting a site inspection or survey of the project site.

In addition, the undersigned property owner hereby certifies:

1. Whether any work is to be done within an easement – Yes:  No:
2. Whether any part of the entire project (e.g., pipeline, roadway, cable, transmission line, structure, etc.) will be located within property belonging to the State of New Jersey-Yes:  No:
3. Whether any work is to be done on any property owned by any public agency that would be encumbered by Green Acres – Yes:  No:
4. Whether any part of this project requires a Section 106(National Register of Historic Places) Determination as part of a federal permit or approval – Yes:  No:

  
\_\_\_\_\_  
Signature of Owner  
8/15/2013  
\_\_\_\_\_  
Date  
Michael DeFrancisci, Executive Director  
\_\_\_\_\_  
Print Name  
600 Wilson Avenue, Newark, NJ 07105  
\_\_\_\_\_  
Print Address

\_\_\_\_\_  
Signature of Owner  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Print Name  
\_\_\_\_\_  
Print Address

**C. APPLICANT'S AGENT**

NOTE: Notary seal is required for Flood Hazard Area (SEA) applications.

I Bridget McKenna, the Applicant/Owner, authorize to act as my agent/representative in all matters pertaining to my application the following person:

Name Tom Zetkolic

Occupation/Profession Vice President, PS&S, LLC

  
\_\_\_\_\_  
(Signature of Applicant/Owner)

**AGENT'S CERTIFICATION**

Sworn before me this day of

I agree to serve as agent for the above-mentioned applicant

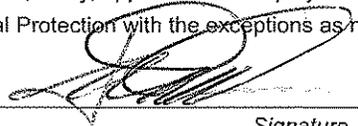
August 7 2013

  
\_\_\_\_\_  
(Signature of Agent)

  
\_\_\_\_\_  
Notary Public

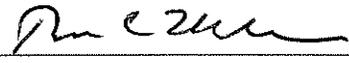
**D. STATEMENT OF PREPARER OF PLANS, SPECIFICATIONS, SURVEYOR'S OR ENGINEER'S REPORT**

I hereby certify that the plans, specifications and engineer's report, if any, applicable to this project comply with the current rules and regulations of the New Jersey Department of Environmental Protection with the exceptions as noted. In addition, I certify the application is complete as per the appropriate checklist(s).

  
\_\_\_\_\_  
Signature  
JAMES WANCHTO 8/19/13  
\_\_\_\_\_  
Type: Name and Date  
VICE PRESIDENT, PS&S  
\_\_\_\_\_  
Position, Name of Firm

**E. STATEMENT OF PREPARER OF APPLICATION, REPORTS AND/OR SUPPORTING DOCUMENTS (other than engineering)**

I certify under penalty of law that I have personally examined the information submitted in the document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining and preparing the information, I believe that the information is true, accurate and complete in accordance with the appropriate checklist(s). I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

  
\_\_\_\_\_  
Signature  
Tom Zetkolic  
\_\_\_\_\_  
Type: Name and Date  
Vice President, PS&S, LLC  
\_\_\_\_\_  
Position, Name of Firm

**Please note: In addition to the standard paper submission, an electronic copy of the entire application, including plans, may be submitted on CDROM to assist the Department in the review this application. Plans should be submitted as a CAD file or Shapefile, referenced in NJ state plane feet NAD83. Please do NOT send the electronic version via E-Mail.**

**Instructions for completing the LURP2 Form**

(Please print clearly or type all information in every section)

**Section 1. Applicant Information**

Make sure all applicant information is correct and up to date.  
Do not provide telephone numbers with call intercept.  
Must include correct Email address.

**Section 2. Agent Information**

Make sure all agent information is correct and up to date.  
Do not provide telephone numbers with call intercept.  
If you do not have an agent, leave this section blank.  
Must include correct Email address.

**Section 3. Property Owner Information**

Identify the property owner if different from applicant.

**Section 4. Project Site Information**

List the street address if known along with the correct zip code for the property.  
List all blocks and lots if more space is needed please attach a list to the LURP2 form.  
Make sure the state plane coordinates are given and that they are 1983 datum otherwise the application will be rejected.  
(Applicants can find state plane coordinates on USGS maps or by going to the NJDEP website and using the IMAP feature to find the location of property and the exact state plane coordinates)

**Section 5. Fees and Costs**

Make sure to list total fees paid and check number(s) of the fee. Also list the estimated cost for the project in the regulated area if applying for a coastal permit or the total cost of the project if applying for any non-coastal permit or waiver. A separate fee breakdown sheet must be attached to the LURP2 form detailing the breakdown of all fees paid.

**Section 6. Project Description**

Briefly describe what you are proposing to construct within regulated areas. In addition, if a Waiver Request has been submitted to the Office of Permit Coordination and Environmental Review please list the Waiver Request ID number(s) on the line provided.

**Section 7. Type of Application you are submitting**

Place a check mark next to each type of activity you are requesting in this application package. Please fill in the amount of fee required for each permit and the amount of fees paid for each permit. The fee paid may be different from the amount required for each permit since the amount required may differ due to the multiple permit fee rule and/or the three payment plan for fees in excess of \$1,000.

**Section A. Applicant's Signature**

The person or corporate officer applying for this permit and to whom the permit will be issued must sign here.

**Section B. Property Owner's Signature**

The legal owner of the property on which the regulated activities are proposed must sign here and certify items one through four in this section.

**Section C. Applicant's Agent Authorization**

If the applicant is represented by a consultant or engineer, that individual shall fill out this section.

**Section D. Statement of the Preparer of Plans**

For all Stream Encroachment (Flood Hazard Area), and Waterfront applications require that the person preparing the plans and reports fill out this section

**Section E. Statement of the Preparer of Application, Reports and Supporting Documents**

Anyone who prepares and is the responsible person for part of the application, reports or supporting documents must fill out this section

BLOCK	LOT
5050.01	10.02
5050.01	15.01
5052	1
5052	2
5052	10
5052	12
5052	15
5052	17
5052	20
5052	21
5052	25
5052	30
5052	34
5052	36
5052	48
5052	58
5052	60
5056	34
5056	36
5056	38
5056	42
5056	52
5056	54
5056	58
5056	60
5056	70
5056	72
5056	86
5056	88
5066	1
5066	5
5066	5.01
5066	7
5066	7.01
5066	9
5066	9.01



# State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHRIS CHRISTIE  
*Governor*

Division of Land Use Regulation  
Mail Code 501-02A  
P.O. Box 420

BOB MARTIN  
*Commissioner*

KIM GUADAGNO  
*Lt. Governor*

Trenton, New Jersey 08625-0420  
[www.state.nj.us/dep/landuse](http://www.state.nj.us/dep/landuse)

OCT 22 2013

Bridget McKenna  
Passaic Valley Sewerage Commission  
600 Wilson Avenue  
Newark, New Jersey 07105

RE: Federal Consistency Determination  
DLUR File No.: 0714-09-0004.4  
Activity No.: CDT 130001 Fed Con  
Applicant: Passaic Valley Sewerage Commission and FEMA  
Block: 5050.01    Lots: 10.02 and 15.01  
Block: 5052        Lots: 1, 2, 10, 12, 15, 17, 20, 21, 25, 30, 34, 36, 48, 58 and 60  
Block: 5056        Lots: 34, 36, 38, 42, 52, 54, 58, 60, 70, 72, 86 and 88  
Block: 5066        Lots: 1, 5, 5.01, 7, 7.01, 9 and 9.01  
Newark City, Essex County

Dear Ms. McKenna:

The New Jersey Department of Environmental Protection, Division of Land Use Regulation, acting under Section 307 of the Federal Coastal Zone Management Act (P.L. 92-583) as amended, finds the Passaic Valley Sewerage Commission project located on the above Blocks and Lots in the City of Newark, Essex County consistent with the approved New Jersey Coastal Management Program.

The project consists of the awarding of grant money by The Federal Emergency Management Agency (FEMA) to the Passaic Valley Sewerage Commission (PVSC) for the following activities: the construction of a floodwall around the main perimeter of the PVSC site, the construction of a standby power system to energize the facility should the electric power grid be disrupted during a flooding or wind storm event, and improvements to the stormwater drainage system onsite. The Division has determined that the project is consistent with New Jersey's Rules on Coastal Zone Management N.J.A.C. 7:7E-1.1 *et seq.*, for the distribution of funding, however PVSC needs to receive the necessary permits (Flood Hazard and Freshwater Wetlands) and comply with all applicable rules.

This letter of consistency is issued for the construction of a floodwall around the main perimeter of the site, the construction of a power system for the site and improvements to the drainage system. This project is to prevent loss of function to the plants treatment and process systems, which occurred as a result of super storm Sandy. Specifically, the project consists of the following work:

- The proposed flood wall will be constructed at a height of 6 feet to 12 feet throughout the project location. The wall will be constructed using cast-in-place concrete supported by piles and underlain with a steel sheet pile cutoff wall.

- There will be three flood gates constructed within the flood wall. The flood gates will remain open under normal conditions, they will close automatically as flood waters rise.
- Three gas combustion turbine generators will be installed to provide standby reserve power in the event that the electrical grid serving the facility is disrupted. These turbines use natural gas at high pressure to spin a turbine. The turbine is used to turn the generator to provide the power. These turbines will be constructed inside a 200 feet by 160 feet building constructed on a pile-supported structural slab.
- The existing stormwater drainage system will be improved. Two new pumping stations will be installed to ensure stormwater does not backup with water and continues to flow offsite during a storm event.

The drawings hereby approved are on nine (9) sheets entitled, "PASSAIC VALLEY SEWERAGE COMMISSION PROPOSED FLOODWALL & ON-SITE STANDBY POWER SYSTEM, 600 WILSON AVENUE NEWARK, NEW JERSEY, CITY OF NEWARK, ESSEX COUNTY, NJ", dated 9/9/13, unrevised, prepared by James R. Wancho, of Paulus Sokolowski and Sartor, LLC entitled:

"KEY PLAN FOR FEDERAL CONSISTENCY REQUEST", Sheet No. FW-01,

"PARCEL PLAN FOR FEDERAL CONSISTENCY REQUEST", Sheet No. FW-01A,

"PARCEL PLAN FOR FEDERAL CONSISTENCY REQUEST", Sheet No. FW-01B,

"FLOODWALL, STORM DRAINAGE AND ON-SITE STANDBY POWER SYSTEM WEST PLAN IMPROVEMENTS", Sheet No. FW-02,

"FLOODWALL, STORM DRAINAGE AND ON-SITE STANDBY POWER SYSTEM EAST PLAN IMPROVEMENTS", Sheet No. FW-03,

"STRUCTURAL DETAILS OF FLOODWALLS", Sheet No. FW-04,

"PLAN AND PROFILE DRAINAGE IMPROVEMENT (EASTERN SIDE)", Sheet No. FW 201,

"PLAN AND PROFILE DRAINAGE IMPROVEMENT (WESTERN SIDE) SHEET 1", Sheet No. FW 202 and;

"PLAN AND PROFILE DRAINAGE IMPROVEMENT (WESTERN SIDE) SHEET 2", Sheet No. 203.

This consistency determination is issued subject to compliance with the following conditions:

1. All necessary local, Federal, and other State approvals must be obtained by the permittee prior to the commencement of the herein permitted activities.
2. The permittee shall immediately inform the Department of any unanticipated adverse effects on the environment not described in the application or in the conditions of this permit.
3. The activities authorized by this federal consistency determination shall be limited to those described herein and shown on the approved plans. Any proposed change to the authorized activities will require modification of this authorization.
4. If you begin any activity approved by this permit, you thereby accept this document in its entirety, and agree to adhere to all terms and conditions. If you do not accept or agree with this document in its entirety, do not begin construction. You are entitled to request an appeal within a limited time as detailed on the attached administrative hearing request checklist and tracking form.

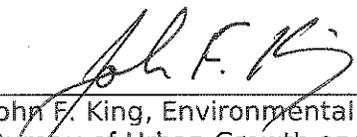
5. All excavated material shall be disposed of in a lawful manner outside of any flood hazard area riparian zone, open water, freshwater wetland and adjacent transition area, and in such a way as to not interfere with the positive drainage of the receiving area.
6. All sediment barriers and other soil erosion control measures shall be installed prior to commencing any clearing, grading or construction onsite, and shall be maintained in proper working condition throughout the entire duration of the project.

This Federal Consistency is authorized pursuant to all parties following the guidelines set forth, and agreed upon, for the construction of the floodwall and pertinent site improvements. This letter of concurrence will remain valid until completion of the project or for a period of five years from the date of this letter, whichever occurs first.

Pursuant to 15 CFR 930.44, the Division reserves the right to object and request remedial action if this proposal is conducted in a manner, or is having an effect on, the coastal zone that is substantially different than originally proposed.

If you have any questions regarding this letter, please contact Cathryn Schaffer of our staff at (609) 984-6216. Please reference the above file number.

Sincerely,

  
\_\_\_\_\_  
John F. King, Environmental Specialist 4  
Bureau of Urban Growth and Redevelopment  
Division of Land Use Regulation

10/22/13  
Date

c: City of Newark Construction Official  
Agent: Tom Zetkolic, PS&S  
67B Mountain Blvd, Ext  
Warren, NJ 07059



Updated 2/27/13

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF PERMIT COORDINATION AND ENVIRONMENTAL REVIEW

**PERMIT READINESS CHECKLIST**

FOR PCER OFFICE USE ONLY

DATE RECEIVED \_\_\_\_

PRC ID NUMBER \_\_\_\_

-----  
Completion of this form will assist the Department in determining what permits might be needed to authorize a project and to insure that all appropriate programs attend a pre-application meeting. Please fill out the below form as completely as possible, noting any areas you are not sure of and including any information about the project and the site that might help the Department determine the permitting needs of the project.<sup>1</sup>

1. Please complete the following questions if applicable and return to the Department with a 1 to 2 page narrative description of project, its function, and its benefits.

**A. GENERAL INFORMATION**

1. Name of Proposed Project Passaic Valley Sewerage Commission Flood Wall and Power 406 Mitigation
2. Consultant/Contact Information (if any) Witt/O'Brien/PS&S
3. Name/Address of Prospective Applicant Passaic Valley Sewerage Commission  
Address/tel./fax 600 Wilson Avenue, Newark, NJ 07105/973.344.1800/973.344.2951  
Company Name PS&S, LLC  
Address/tel./fax 67 Mountain Blvd Extn, Warren, NJ 07059/732.560.9799/732.271.4893
4. Does the project have any existing NJDEP ID#s assigned? i.e., Case number, Program Interest (PI)#, Program ID#?

**B. PROPOSED PROJECT LOCATION**

Street Address/munic. same as above  
County Essex Zip Code \_\_\_\_  
Block No. See attached list and map Lot No. \_\_\_\_  
X Coordinate in State Plane (project centroid) E 595607  
Y Coordinate in State Plane (project centroid) N 684505

<sup>1</sup> Please be advised that this form is not a permit application. To receive authorization, approval, or a permit to conduct regulated activities, a formal application must be filed and a formal permit or authorization issued by the appropriate Bureau within the Department prior to the conduct of regulated activity. This form is used solely for the Department's preliminary review and discussion of this project to determine what permits or authorizations may be needed to conduct the proposed activity. Any guidance offered to the applicant during this process is not binding on the Department or the applicant and a final response can only be rendered through the actual issuance of permits, approvals, or authorizations.

**C. PROPOSED ACTIVITY DESCRIPTION AND SCHEDULE**

1. Project Type:  New Construction  Brownfield Redevelop.   
Alternative Energy  Other (Please describe) X (emergency mitigation flood damage)
  - a) Estimated Schedule: Date permits needed or desired by, beginning construction date; construction completion, and operation of facility date: ASAP; construction to commence upon receipt of necessary approvals/permits; FEMA NEPA process anticipated to be completed August 2013.
  - b) Funding Source: Is any Federal Funding being used for this project? FEMA 406 Mitigation Funds  
State Funding over 1 million dollars? State matching funds  
Is funding secured at this time? No Is funding conditional?  If so, on what?  
\_\_\_\_\_
  - c) Is the project contingent on receiving the identified funding? Yes  
If yes, explain FEMA review and approval pending
  - d) What DEP permits do you think you need for this project? (The Department will confirm this through the PRC process). Land Use (Waterfront Development; Freshwater Wetlands SGP or IP; Coastal Wetlands GP; Flood Hazard Area; Air (Title V Modification)/Soil Erosion and Sediment Control and Request for Authorization.
2. For additional guidance on Department permits, please refer to the Permit Identification Form (PIF) which will be forwarded upon request. The PIF does not need to be filled out or submitted to the Department.
  - a) Which Department(s), Bureau(s), and staff have you contacted regarding your proposed project? Division of Water Quality (Michele Siekerka; Michele Putnam; Betty Boros); Division of Land Use Regulation (Christopher Jones); Division of Air Quality (Frank Steitz)
  - b) Are there any Department permits that will need to be modified as a result of this project. Please explain and identify the project reviewer of the permit to be modified.  
Air Permits (Title V Modification)
  - c) Please identify any pre-permit actions or modifications you have applied for or obtained from the Department or other state agencies for this project:
    - 1) Water Quality Management Plan consistency \_\_\_\_\_
    - 2) Highlands Consistency \_\_\_\_\_
    - 3) Wetland Delineation (LOI) \_\_\_\_\_
    - 4) Tidelands Conveyance \_\_\_\_\_
    - 5) Flood Hazard Jurisdiction or determinations \_\_\_\_\_
    - 6) Water Allocation \_\_\_\_\_
    - 7) Site Remediation RAW, Remedial Action Permit – Soil and or Groundwater, NJPDES Discharge to Ground Water, NJPDES Discharge to Surface Water, No Further Action Response Action Outcome \_\_\_\_\_
    - 8) Landfill Disruption Approval \_\_\_\_\_
    - 9) Landfill Closure Plan \_\_\_\_\_
    - 10) Other \_\_\_\_\_

3. Please submit this Permit Readiness Checklist form, completed to the extent possible, electronically to [Ruth.Foster@dep.state.nj.us](mailto:Ruth.Foster@dep.state.nj.us) and one (1) copy via mail<sup>2</sup> with the following items if available:
- (a) The completed Permit Readiness Checklist (this form);
  - (b) A description of the proposed project (see attached descriptions for the Flood Wall and Power Plant projects);
  - (c) Any overarching regulatory or policy call(s) or guidance that the Department must make or make known prior to the receipt of the application to determine the project's feasibility, regulatory, or review process (Subject to FEMA 406 Mitigation).
  - (d) USGS map(s) with the site of the proposed project site boundaries clearly delineated (including the title of the USGS quadrangle sheet from which it was taken)<sup>3</sup> (see attached Site Location Map, Elizabeth and Jersey City Quadrangles);
  - (e) Aerial photos/GIS information regarding the site (see attached Aerial Imagery Map);
  - (f) A site map including any known environmental features (wetlands, streams, buffers, etc<sup>4</sup>) (see attached Freshwater and Coastal Wetlands Map and Surface Waters and Riparian Zones Map);
  - (g) Site plans to the extent available (see attached conceptual site plans for Flood Wall and Power Plant);
  - (h) Street map indicating the location of the proposed project (see attached USGS);
  - (i) Any other information that you think may be helpful to the Department in reviewing this project.
  - (j) List of any local or regional governments or entities, their historical involvement in this project or site, identification of conflicts with DEP rules; with contact names and information whose attendance/input would be helpful in facilitating this project, ie Soil Conservation Districts, health departments, local zoning officials, etc.

**D.** The following are questions by Program to guide the Department in its determination of what permits may be needed to authorize this project. If the questions do not apply to the proposed project please indicate N/A. Please include any other information you think may be helpful for the Department to determine which permits are needed.

## **WATER AND WASTE WATER INFORMATION**

**DEP Safe Drinking Water Program (609) 292-5550**  
<http://www.nj.gov/dep/watersupply/>

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<sup>2</sup> Submit to: New Jersey Department of Environmental Protection  
Office of Permit Coordination and Environmental Review  
P.O. Box 423, Trenton, New Jersey 08625-0423  
Street Location: 401 East State Street, 7<sup>th</sup> Floor East Wing  
Telephone Number:(609) 292-3600  
Fax Number: (609) 777-1330

<sup>3</sup> USGS maps may be purchased from NJDEP, Maps and Publications, P.O. Box 420, Trenton 08625-0420; (609) 777-1038

<sup>4</sup> NJGIS information

Is the project located within an existing water purveyor service area? If yes, which one? Yes (see attached Public Community Water Purveyor Service Areas Map, Newark Water Department PWSID: 714001)  
<http://www.nj.gov/dep/gis/stateshp.html#WATPUR>

Does the purveyor have adequate firm capacity and allocation to support project demand?  
Do water pipes currently extend to the project location? Yes

If not, is it located within a franchise area? NA

Does the project have an approved Safe Drinking Water main extension permit? NA

**DEP Water Allocation Program** (609) 292-2957

<http://www.nj.gov/dep/watersupply>

Is the project seeking a new ground water allocation or modification? If yes, does the project have all necessary well location and safe drinking water permits? No

Is the project located within an area of critical water supply concern? No

Will this project have the capability to divert more than 100,000 gallons per day from a single source or a combination of surface or groundwater sources? No

Will this project draw more than 100,000 gallons per day of ground or surface water for construction or operation? No

## **WATER POLLUTION MANAGEMENT ELEMENT**

### **DIVISION OF WATER QUALITY**

**Non-Point Pollution Control (609) 292-0407**

[http://www.nj.gov/dep/dwq/bnpc\\_home.htm](http://www.nj.gov/dep/dwq/bnpc_home.htm)

The **Bureau of Non-Point Pollution Control** (BNPC) is responsible for protecting and preserving the state's groundwater resources through the issuance of NJPDES Discharge to Groundwater Permits and is responsible for permitting industrial facilities and municipalities under NJPDES for discharges of stormwater to waters of the State.

**Groundwater Section (609) 292-0407**

This Program does not issue NJPDES-DGW permits for remediation operations.

The following definitions should be used to assist in identifying discharge activities:

**Subsurface disposal system** is any contrivance that introduces wastewater directly to the subsurface environment, such as, but not limited to: septic systems, recharge beds, trench systems, seepage pits, and dry wells.

**Injection/recharge wells** are constructed such that they are deeper than they are wide, receive effluent via gravity flow or pumping, and include dry wells and seepage pits.

**Overland flow** is the introduction of wastewater to the ground surface, over which the wastewater travels and eventually percolates or evaporates.

**Industrial wastewater** is any wastewater or discharge which is not sanitary or domestic in nature, including non-contact or contact cooling water, process wastewater, discharges from floor drains, air conditioner condensate, etc.

1. Will the project/facility have a sanitary wastewater design flow which discharges to groundwater in excess of 2,000 gallons per day? No.
2. Will the project/facility generate a discharge to groundwater of industrial wastewater in any quantity? No.
3. Will the project/facility involve the discharge to groundwater by any of the following activities or structures, or include as part of the design any of these activities or structures? No.

Please indicate which:

Upland CDF (Dredge Spoils) Spray Irrigation \_\_\_\_\_  
Overland Flow Subsurface Disposal System (UIC) \_\_\_\_\_  
Landfill Infiltration/Percolation Lagoon \_\_\_\_\_  
Surface Impoundment \_\_\_\_\_

Please specify the source of wastewater for every structure identified above (e.g., sanitary wastewater to a subsurface disposal system or non-contact cooling water to a dry well): \_\_\_\_\_

Please specify lining materials for each lined structure identified as being used by the proposed project and give its permeability in cm/sec (e.g., 8-inch thick concrete lined evaporation pond at  $10^{-7}$  cm/sec): \_\_\_\_\_

Does your project/facility include an individual subsurface sewage disposal system design for a facility with a design flow less than 2,000 gallons per day which does not strictly conform to the State's standards? No.

Does your project involve 50 or more realty improvements? No.

**Stormwater Program (609) 633-7021**

<http://www.njstormwater.org/>  
[http://www.state.nj.us/dep/dwq/ispp\\_home.html](http://www.state.nj.us/dep/dwq/ispp_home.html)

Will your site activity disturb more than one acre? Yes

Will any industrial activity be conducted at the site where material is exposed to the rain or other elements? NA

Does your facility have an existing NJPDES permit for discharge of stormwater to surface groundwater? Yes, NJPDES ID#NJ0021016.002A, see attached Contamination and Remediation Areas Map.

Is your facility assigned one of the following Standard Industrial Classification (SIC) Codes? NA  
(To determine your SIC Code see the box "Industry Code" on your New Jersey Department of Labor Quarterly Contribution Report.)

**DEP Pretreatment and Residuals program (609) 633-3823**

Will the project involve the discharge of industrial/commercial wastewater to a publicly owned treatment works (POTW)?  
If yes, name of POTW: \_\_\_\_\_

Volume of wastewater (gpd): \_\_\_\_\_

Will/does this project involve the generation, processing, storage, transfer and/or distribution of industrial or domestic residuals (including sewage sludge, potable water treatment residuals and food processing by-products) generated as a result of wastewater treatment. If so, please explain.  
NA

**Stormwater Program (609) 633-7021**

<http://www.njstormwater.org/>

[http://www.state.nj.us/dep/dwq/ispp\\_home.html](http://www.state.nj.us/dep/dwq/ispp_home.html)

Will your site activity disturb more than one acre? Yes

Will any industrial activity be conducted at the site where material is exposed to the rain or other elements? No.

Does your facility have an existing NJPDES permit for discharge of stormwater to surface groundwater?  
Yes, NJPDES ID#NJ0021016.002A, see attached Contamination and Remediation Areas Map.

Is your facility assigned one of the following Standard Industrial Classification (SIC) Codes? No  
(To determine your SIC Code see the box "Industry Code" on your New Jersey Department of Labor Quarterly Contribution Report.

**Surface Water Permitting (609) 292-4860**

<http://www.nj.gov/dep/dwq/swp.htm>

Will this wastewater facility discharge to Surface Water? NA Yes/No \_\_\_\_\_

If yes, state the name of the proposed receiving stream \_\_\_\_\_

Describe the proposed discharge of wastewater to Surface Water \_\_\_\_\_

If no, how is the wastewater proposed to be discharged (e.g., to be conveyed to another STP, Publicly Owned Treatment Works, etc. \_\_\_\_\_

**MUNICIPAL FINANCE AND CONSTRUCTION ELEMENT**

**Treatment Works Approvals (609) 984-4429**

Will this project include the construction, expansion or upgrade of a domestic or industrial wastewater treatment facility or an off-site subsurface disposal system that generates more than 2,000 gallons per day? NA If yes, explain \_\_\_\_\_

Will the project result in a construction design of more than 8000 gallons of water discharge per day?  
No

**LAND USE MANAGEMENT**

**DEP Water Quality Management Planning Program (609) 984-6888**

<http://www.nj.gov/dep/wqmp/>

### Sewer Service

Is the project in an approved sewer service area for the type of waste water service needed? Yes  
If yes, what is the name of the sewer service area? PVSC NJPDES #NJ0021016 (see attached Sewer Service Areas Map).

Has this project received endorsement from the appropriate sewer authority with adequate conveyance and capacity? Yes

Do waste water pipes currently extend to the project location? Yes

Is the project consistent with and in an area covered by an up to date Wastewater Management Plan? Yes

Will an amendment to the existing WQMP be required to accommodate this project? No

If tying into an offsite treatment plant, is the capacity and conveyance system currently available? NA

What is the volume of wastewater that will be generated by the project? NA

### DEP Land Use Regulation (609) 777-0454

<http://www.nj.gov/dep/landuse>

Does the project involve development at or near, or impacts to the following; describe the type and extent of development in regards to location and impacts to regulated features:

Water courses (streams) Yes

State Open Waters? Yes

Freshwater Wetlands and/or freshwater wetland transition areas? Yes

Flood Hazard areas and/or riparian buffers Yes

Waterfront development areas Yes

Tidally Flowed Areas Yes

Please contact the Bureau of Tidelands at <http://www.nj.gov/dep/landuse/tideland.html>

The CAFRA Planning Area? <http://www.nj.gov/dep/gis/cafralayers.htm#cpa>

### DEP NATURAL AND HISTORIC RESOURCES

#### Green Acres Program (609) 984-0631

<http://www.nj.gov/dep/greenacres>

Does the project require a diversion of State property or parkland, lease of same, lifting of a Green Acres of Land Use deed restriction, or work within an existing easement? No Will any activity occur on State owned lands?        If so please describe.

Does the project require a diversion of property funded with federal Land and Water Conservation Funding? No. If so, please describe \_\_\_\_\_.

Does the project include activities that are under the jurisdiction of the Watershed Property Review Board? If so, please describe. No Has the Watershed Property Review Board made a jurisdictional determination? \_\_\_\_\_

**Division of Parks and Forestry: State Park Service 609-292-2772**

Is the temporary use of State lands administered by the New Jersey State Park Service required for pre-construction, construction and/or post construction activities? If so, please describe. No

**Division of Parks and Forestry: State Forestry Services (609) 292-2530**

<http://www.nj.gov/dep/parksandforests/forest>

**Forest clearing activities/No Net Loss Reforestation Act**

Will construction of the project result in the clearing of ½ acres or more of forested lands owned or maintained by a State entity? No

If so, how many acres? \_\_\_\_\_

**Division of Parks and Forestry: Office of Natural Lands Management (609) 984-1339**

<http://www.nj.gov/dep/parksandforests/natural/index.html>

Is the project within a State designated natural area as classified in the Natural Areas System Rules at N.J.A.C. 7:5A? No

If so, please describe. \_\_\_\_\_

**State Historic Preservation Office – SHPO (609) 292-0061**

[http://www.state.nj.us/dep/hpo/3preserve/clg\\_links.htm](http://www.state.nj.us/dep/hpo/3preserve/clg_links.htm)

Is the site a Historic Site or district on or eligible for the State or National registry? Yes (see attached Historic Properties Map)

Will there be impacts to buildings over 50 years old? No

Are there known or mapped archeological resources on the site? No

**Dam Safety Program (609) 984-0859**

<http://www.nj.gov/dep/damsafety>

Will the project involve construction, repair, or removal of a dam? No

If so, please describe \_\_\_\_\_

**Fish and Wildlife (609) 292-2965**

<http://www.nj.gov/dep/fgw>

Will there be any shut off or drawdown of a pond or a stream? No

**Threatened and Endangered Species Program**

Are there records of any Threatened and Endangered species, plant, or animal in this project area? Yes  
(Rank 3, occurrences of State threatened species, see attached Landscape Project Map)

Will the proposed development affect any areas identified as habitat for Threatened or Endangered Species? Yes

**SITE REMEDIATION PROGRAM (609) 292-1250**

<http://www.nj.gov/dep/srp/>

**Office of Brownfield Reuse (609) 292-1251**

Is the project located on or adjacent to a known or suspected contaminated site? Yes, see attached Contamination and Remediation Areas Map).

<http://www.nj.gov/dep/srp/kcsm>

Is the project within a designated Brownfield Development Area? No

Has a No Further Action, Response Action Outcome, or Remedial Action Permit been issued for the entire project area? \_\_\_\_\_

If not, what is the current status of remediation activities? \_\_\_\_\_ Please include remedial phase, media affected and contaminant(s) of concern.

Name of current SRP Case Manager or Licensed Site Remediation Professional and Preferred Identification (PI) Number \_\_\_\_\_

Is the applicant a responsible party for contamination at the property? No

Is the project located on a landfill that will be redeveloped for human occupancy? No If yes, is there an approved Landfill Closure Plan? \_\_\_\_\_

**Dredging and Sediment Technology (609) 292-1250**

Does the project involve dredging or disposing of dredge materials? No

**CLIMATE AND ENVIRONMENTAL MANAGEMENT**

<http://www.nj.gov/dep/sage/climate-energy.html>

**AIR QUALITY PERMITTING PROGRAM**

<http://www.nj.gov/dep/aqpp>

Will activity at the site release substances into the air? Yes

Does the project require Air Preconstruction permits per N.J.A.C. 7:27-8.2©1? No

Will your project require Air Operating permits (N.J.A.C. 7:27--22.1)? Yes (Title V Modification)

Will the project result in a significant increase in emissions of any air contaminant for which the area is nonattainment with the national ambient air quality standards (all of NJ for VOC and NO<sub>x</sub>; 13 counties for fine particulates), thereby triggering the Emission Offset Rule at NJAC7:27-18? TBD

Will the project emit group 1 or 2 TXS toxic substances listed in NJAC 7:27-17? No

Will the project emit hazardous air pollutants above reporting thresholds in NJAC 7:27 8, Appendix 1?  
No

Will the project result in stationary diesel engines (such as generators or pumps) or mobile diesel engines (such as bulldozers and forklifts) operating on the site? If so, which?  
No

**SOLID AND HAZARDOUS WASTE MANAGEMENT PROGRAM (609) 633-1418**

Does the project receive, utilize, or transport solid or hazardous wastes? No

Will the project involve the disposing of hazardous Substances per 40 CFR part 261 and NJAC 7:26?  
No

Will the project include operation of a solid waste facility according to N.J.A.C. 7:26-1-et seq.? No

If the project is a solid waste facility or recycling center, is the project included in the appropriate county Solid Waste Management Plan? \_\_\_\_\_ Explain \_\_\_\_\_

**RADIATION PROTECTION AND RELEASE PREVENTION (609) 984-5636**

[www.state.nj.us/dep/rpp](http://www.state.nj.us/dep/rpp)

Will the operation receive, store or dispose of radioactive materials? No

Will the operation employ any type of x-ray equipment? No

**DISCHARGE PREVENTION PROGRAM (DPCC) (609) 633-0610**

[www.nj.gov/dep/rpp](http://www.nj.gov/dep/rpp)

Is this a facility as defined in N.J.A.C. 7:1E in which more than 20,000 gallons of Hazardous substances other than petroleum or greater than 200,000 gallons of petroleum are stored? \_\_\_\_\_

**TOXIC CATASTROPHE PREVENTION ACT (TCPA) (609) 633-0610**

[www.nj.gov/dep/rpp](http://www.nj.gov/dep/rpp)

Is this a facility that handles or stores greater than a threshold amount of extraordinarily hazardous substances as defined in N.J.A.C. 7:31? No

**SUSTAINABILITY AND GREEN ENERGY (SAGE)**

<http://www.nj.gov/dep/sage>

**GREEN DESIGN (609) 777-4211**

Have you incorporated green design features into this project? Examples of green design features may include: renewable energy, water conservation and use of low impact design for stormwater.

Yes \_\_\_\_\_ No \_\_\_\_\_

Will this project be certified by any of the following green building rating systems?

New Jersey Green Building Manual?   No    
<http://greenmanual.rutgers.edu/>

US Green Building Council's LEED (Leadership in Energy and Environmental Design)?   No    
<http://www.usgbc.org/>

ASHRAE Standard 189.1?   No    
<http://www.ashare.org/publications/page/927>

National Green Building Standard ICC 700-2008?   No    
<http://www.nahbgreen.org>

USEPA's ENERGY STAR?   No    
[http://www.energystar.gov/index.cfm?c=business.bus\\_index](http://www.energystar.gov/index.cfm?c=business.bus_index)

**INNOVATIVE TECHNOLOGY (609) 292-0125**

Is an environmental and energy innovative technology included in this project?  Y  N

Is this technology used for manufacturing alternative fuels?  Y  N

- If yes, what is the non-fossil feedstock(s) used for manufacturing the fuels?  
 Biomass  Municipal Solid Waste  Other Non-Fossil Feedstocks

-What will be the primary use of the manufactured alternative fuels?  
 CHP System  Micro Turbine  Fuel Cells

For other innovative technology type, what is the proposed application?  
 Energy  Site Remediation  Drinking Water  Wastewater

For other innovative energy systems, what is the source of energy?  
 Solar  Wind  Tidal/Wave  Hydroelectric  Geothermal

Is there independent third-party performance data for the technology?  Y  N

Has the technology been verified by an independent third-party entity?  Y  N

Is this technology in use at any other location at this time?  Y  N  
- If yes, please provide location \_\_\_\_\_

**DEP COMPLIANCE AND ENFORCEMENT**

Does the applicant have outstanding DEP enforcement violations, and if so, what is the status? \_\_\_\_\_

If yes, please identify the case, case manager, program, and phone number. \_\_\_\_\_

Does the proposed project facilitate compliance where there is a current violation or ACO? \_\_\_\_\_

## COMMUNITY ENGAGEMENT (609)292-2908

The Department is committed to the principles of meaningful and early community engagement in the project's approval process. The Department has representatives available who could discuss community engagement issues with you and we encourage this communication to take place at the earliest possible time.

- (a) What community groups and stakeholders have you identified that may be interested in or impacted by this project? None
- (b) How have you or will you engage community and stakeholders in this project? Please supply individuals or stakeholder groups contacted or who have been identified for community engagement. Yes, community and stakeholders will be contacted and consulted through the FEMA NEPA process, and then through applicable State permit/approval processes.
- (c) What are the potential impacts of this project on the community? Positive impact anticipated through protection of the facility as critical public sewer treatment infrastructure.
- (d) How do you intend to mitigate these potential impacts? NA
- (e) What are the community concerns or potential concerns about this project? TBD
- (f) How do you intend to address these concerns? TBD
- (g) As part of this project, do you plan to perform any environmental improvements in this community? If yes, describe. Flood protection and primary power plant have inherent environmental benefits.

Please provide the Department with an additional 1 to 2 page narrative description of the project, focusing on its function and its local/regional environmental, social, and economic benefits and impacts. Also, what sensitive receptors are present and how might they be affected by this project?

## GENERAL

Is the project subject to:

Highlands Regional Master Plan – Planning or Preservation Area? No  
<http://www.state.nj.us/dep/gis/stateshp.html#HIGHLANDS>

Pinelands Comprehensive Management Plan? No  
<http://www.state.nj.us/pinelands/cmp/>

D&R Canal Commission Standards No  
<http://www.dandrcanal.com/drcc/maps.html>

Delaware River Basin Commission No  
(609) 883-9500  
<http://www.state.nj.us/drbc>

US Army Corp of Engineers review? TBD (may have stormwater outfalls subject to USACE's jurisdiction)

Will the project affect any land or water controlled by a Water Supply Authority or water purveyor in New Jersey? If so, please identify and explain. No