

# GENERAL PERMIT FOR CONSTRUCTION AND MINING ACTIVITY

## PART I

### NARRATIVE REQUIREMENTS

#### A. AUTHORIZATION UNDER THIS PERMIT

##### 1. Permit Area

- a. This permit applies to all areas of the State of New Jersey.

##### 2. Eligibility

- a. Except as provided in ii a.) and b.), following, and A.3., below, this permit may authorize all new and existing stormwater discharges associated with industrial activity and small construction activities as defined in N.J.A.C. 7:14A-1.2, and that are from the following facilities:
  - i. Construction activities including clearing, grading and excavation activities.
  - ii. Active or inactive operations for mining or quarrying of stone, gravel, sand, soil, shale, or clay; including crushing, grinding, pulverizing, and washing activities at such mines or quarries, but excluding: a.) Facilities where mined or quarried material is treated with detergents, oils, acids, or other chemicals and; b.) Facilities that include active or inactive mining or quarrying for metallic minerals (ores).
  - iii. mining and quarrying operations that have historically been eligible for this general permit, are still eligible until such time as this general permit is revised to eliminate such eligibility, or until authorizations of such operations under this general permit are revoked under N.J.A.C. 7:14A-6.13.

##### 3. The following stormwater discharges are not authorized by this permit:

- a. Stormwater discharges subject to any of the following effluent guideline limitations for stormwater: cement manufacturing, materials storage piles (40 CFR 411, Subpart C); feedlots (40 CFR 412); fertilizer manufacturing (40 CFR 418); petroleum refining (40 CFR 419); phosphate manufacturing (40 CFR 422); steam electric, coal pile runoff (40 CFR 423); mineral mining and processing (40 CFR 436); ore mining and dressing (40 CFR 440); asphalt emulsion (40 CFR 443 Subpart A); and landfills (40 CFR 445).
- b. Stormwater discharges from facilities with "sanitary landfills" as defined in N.J.A.C. 7:26-1.4 or "hazardous waste landfills" subject to N.J.A.C. 7:26G, unless the landfill meets the requirements of i. or ii., following. In such cases the discharge is eligible for authorization under this permit.
  - i. The landfill is under construction and has not received any solid waste or hazardous waste as defined at N.J.A.C. 7:14A-1.2; or



### C. AUTHORIZATION

1. In order to obtain authorization under this permit (except for automatic renewal of authorization under 5.a below), a complete Request for Authorization (RFA) and the \$300 fee required under N.J.A.C. 7:14A-3.1(j) shall be submitted in accordance with the requirements of this permit.
  - a. Authorization becomes effective when the soil conservation district or the New Jersey Department of Transportation (DOT) certifies the RFA (and when, in addition, the Pinelands Commission has made any determination required under 2. below).
2. For new stormwater discharges commencing in the Pinelands Area (as defined by N.J.S.A. 13:18A-11) after November 2, 1992, authorization under this permit becomes effective only if, pursuant to N.J.S.A. 13:18A-15, the Pinelands Commission has determined that:
  - a. The Pinelands Commission will not review the facility based upon the issuance of a certification of the facility's soil erosion and sediment control plan issued by the soil conservation district or the State Soil Conservation Committee, or the approval of the facility's soil erosion and sediment control requirements issued by the municipality (whichever is applicable);
  - b. The Pinelands Commission has reviewed and approved the facility following issuance of a certification of the facility's soil erosion and sediment control plan issued by the soil conservation district or the State Soil Conservation Committee, or the approval of the facility's soil erosion and sediment control requirements issued by the municipality (whichever is applicable); or
  - c. The Pinelands Commission has, pursuant to N.J.A.C. 7:50-4.51 et seq., reviewed and approved the development application of the DOT.
3. Authorizations under this general permit cease to be effective:
  - a. When the State Soil Conservation Committee rejects (pursuant to N.J.S.A. 4:24-6.1 and N.J.A.C. 2:90-1.6) a decision by the soil conservation district to certify the facility's soil erosion and sediment control plan; or
  - b. When the certification or municipal approval (under N.J.S.A. 4:28-48) of the facility's soil erosion and sediment control plan expires without being renewed or extended.
4. For a stormwater discharge authorized under this permit, the permittee is exempt from the provision in N.J.A.C. 7:14A-6.2(a)2 which declares that the discharge of any pollutant not specifically regulated in the NJPDES permit or listed and quantified in the NJPDES application shall constitute a violation of the permit.
5. Automatic Renewal of Authorization
  - a. Authorization under this permit was automatically renewed when this permit was reissued, and will be automatically renewed if this permit is reissued in the future (so long as the discharge remains eligible). In either case, for any permittee who had or has authorization under this permit immediately prior to the effective date of the reissued permit, the most recently submitted RFA is also a timely and

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complete RFA under the reissued permit. (However, if the permittee is aware that any information in that most recently submitted RFA is no longer true, accurate, and complete, the permittee (except for DOT) shall provide the correct information to the soil conservation district within 90 days after that effective date, if the permittee has not done so already.) The soil conservation district shall provide a notice of renewed authorization to each such permittee (except for DOT).

- b. A permittee whose authorization was renewed under a. above may request to be excluded from the reissued general permit in accordance with N.J.A.C. 7:14A-6.13(g), and may also request a stay of the application to that permittee of any conditions of the reissued permit in accordance with N.J.A.C. 7:14A-17.6.

#### D. REQUEST FOR AUTHORIZATION REQUIREMENTS

1. Deadline for Requesting Authorization for a New Discharge
  - a. Except as provided in i. below, an RFA for a new stormwater discharge must be submitted at least 30 days prior to the commencement of the land disturbance that may result in that discharge.
    - i. An RFA for a new stormwater discharge associated with small construction activity at oil and gas exploration, production, processing, and treatment operations or transmission facilities must be submitted at least 30 days prior to the commencement of the land disturbance that may result in that discharge, or by February 8, 2005, whichever is later.
2. The Soil Conservation District (SCD) or DOT may, at its discretion, accept an RFA submitted after the foregoing deadlines; however, the discharger may still be held liable for any violations that occurred prior to the submission of the RFA.
3. Persons Requesting Authorization
  - a. An RFA shall be submitted by each person who is an operating entity for any part of the facility requiring a NJPDES permit for the stormwater discharge at the facility. When a facility is owned by one person but is currently operated by another person, the operating entity shall submit the RFA.
4. Contents of the Request for Authorization
  - a. A completed RFA shall include all of the following information regarding the regulated facility, using the Department's RFA form.
    - i. The legal name and address of all known current owners and operating entities. The RFA shall also identify which of these persons is submitting the RFA.
    - ii. The facility name and address.
    - iii. A brief description of the facility and its current and proposed uses.
    - iv. The RFA certification contained in Attachment A.
    - v. For stormwater discharges occurring in the Pinelands Area (as defined in

N.J.S.A. 13:18A-11) prior to November 2, 1992, a Pinelands Commission "no call up" letter or public development approval.

5. Where to Submit

- a. For projects that the New Jersey Department of Transportation (DOT) is constructing or proposes to construct, a completed, signed, and certified RFA shall be submitted by DOT to the Department at the address specified on the Department's RFA form, and the \$300 fee (except for authorization renewal under C.5.a.) shall be paid to the Department.
- b. For all other projects, a completed and signed RFA and \$300 fee (except for authorization renewal) paid by check or money order payable to "Treasurer, State of New Jersey" shall be submitted along with the completed RFA to the soil conservation district.

6. Certifying the Request for Authorization

- a. For projects that the DOT is constructing or proposes to construct, the DOT shall certify the RFA if the requirements above have been satisfied, and if the DOT has certified the facility's plan for soil erosion and sediment control under N.J.S.A. 4:24-43.
- b. For other projects, the soil conservation district shall certify the RFA if the requirements above have been satisfied, and if:
  - i. The soil conservation district has certified the facility's plan for soil erosion and sediment control under N.J.S.A. 4:24-43; or
  - ii. The State Soil Conservation Committee has certified the facility's plan for soil erosion and sediment control under N.J.S.A. 4:24-6.1 and N.J.S.A. 4:24-43; or
  - iii. The facility has been approved under a municipal ordinance for soil erosion and sediment control pursuant to N.J.S.A. 4:24-48.
- c. The district shall grant or deny certification of the RFA within a period of 30 days after submission of a complete RFA unless, by mutual agreement in writing between the district and the persons requesting authorization, the period of 30 days shall be extended for an additional period of 30 days. Failure of the district to grant or deny certification within such time period shall constitute certification of the RFA.
- d. RFAs certified by the soil conservation districts shall be submitted by those districts to the State Soil Conservation Committee, which shall submit them to the Department at the address specified on the Department's RFA form.

7. Additional Notification

- a. Facilities that discharge stormwater associated with industrial activity through a large or medium municipal separate storm sewer system (systems serving a population of 100,000 or more) must also submit a copy of the RFA to the owner of and operating entity for that system.

- b. Persons requesting authorization shall also submit a copy of the RFA to each owner (if any) of the facility who did not submit the RFA.

E. EFFLUENT LIMITATIONS; INSPECTION AND REPORTING REQUIREMENTS

1. Stormwater Pollution Prevention Plan (SPPP). Construction, mining, or quarrying activity that may result in a stormwater discharge authorized by this permit shall be executed only in accordance with a SPPP that consists of the erosion and sediment control component described under a. below, and (where applicable) the construction site waste control component set forth in Attachment B. A copy of this SPPP shall be retained by the permittee for a period of at least five years after the completion of construction. This period may be extended by written request of the Department at any time (see N.J.A.C. 7:14A-6.6):
  - a. Erosion and sediment control - Land disturbances that may result in a stormwater discharge authorized by this permit shall be executed only in accordance with a soil erosion and sediment control plan certified pursuant to N.J.S.A. 4:24-43, or requirements for soil erosion and sediment control established in or pursuant to a municipal ordinance in accordance with N.J.S.A. 4:24-48, whichever is applicable. For purposes of this permit, the above mentioned soil erosion and sediment control plan or requirements constitute the erosion and sediment control component of the facility's SPPP (except for any provisions that are not relevant to the stormwater discharge authorized by this permit).
  - b. Construction Site Waste Control – The construction site waste control component of the SPPP consists of the requirements set forth in Attachment B. These requirements become operative on March 3, 2004 and apply only to construction activities that commence on or after March 3, 2004. Public projects that have gone out for bid or have been awarded a contract prior to March 3, 2004 are exempt from implementing the new requirements for construction site waste management. Construction activities that commenced prior to March 3, 2004 but did not obtain certification (or approval from exempt municipality) required under the Soil Erosion and Sediment Control Act are not exempt from the requirements in this section. Any other new construction activity for which an RFA is submitted on or after March 3, 2004 or which receive automatic renewal of authorization under this permit after March 3, 2004 also shall comply with these requirements. These requirements apply only to such facilities with “stormwater discharge associated with small construction activity” as defined at N.J.A.C. 7:14A-1.2, and to such facilities with stormwater discharge associated with construction activity described under subparagraph 1x of the N.J.A.C. 7:14A-1.2 definition of “stormwater discharge associated with industrial activity.”
2. Land disturbances that may result in a stormwater discharge authorized by this permit shall not commence until authorization is effective under C., above.
3. Routine Inspections
  - a. The permittee shall conduct and document routine inspections of the facility to identify areas contributing to the stormwater discharge authorized by this permit and evaluate whether the stormwater pollution prevention plan (SPPP) identified under E.1, above, is being properly implemented and maintained, or whether

additional measures are needed to implement the SPPP. (Routine inspections minimum weekly).

4. Annual Reports and Certifications

- a. The permittee shall prepare an annual report summarizing each inspection performed under 3.a., above. This report shall be accompanied by an annual certification, on a form provided by the Department, that the facility is in compliance with its SPPP and this permit, except that if there are any incidents of noncompliance, those incidents shall be identified in the certification. If there are incidents of noncompliance, the report shall identify the steps being taken to remedy the noncompliance and to prevent such incidents from recurring. The report and certification shall be signed and dated by the permittee in accordance with N.J.A.C. 7:14A-4.9, and shall be maintained for a period of at least five years. This period may be extended by written request from the Department at any time (see N.J.A.C. 7:14A-6.6).

5. Reports of Noncompliance

- a. All instances of noncompliance not reported under N.J.A.C. 7:14A-6.10 shall be reported to the Department annually.

F. STANDARD CONDITIONS APPLICABLE TO THIS GENERAL PERMIT

- 1. The permittee shall comply with all the conditions set forth in this permit and all the applicable requirements relevant to the permittee's discharge(s) that can be found in the Federal Clean Water Act and the New Jersey Water Pollution Control Act (N.J.S.A. 58:10A-1 et seq.). The permittee may be subject to penalties for any violations thereof.
- 2. The following conditions are incorporated by reference. The permittee is required to comply with the rules that were in effect as of the effective date of the final permit.

a. General Conditions

- i. Penalties for Violations N.J.A.C. 7:14-8.1 et seq.
- ii. Consolidation of Permit Processing N.J.A.C. 7:14A-15.5
- iii. Incorporation by Reference N.J.A.C. 7:14A-2.3
- iv. Enforcement Action N.J.A.C. 7:14A-2.9
- v. General Conditions Applicable to All Permittees N.J.A.C. 7:14A-6.2
- vi. Duty to Reapply N.J.A.C. 7:14A-4.2(e)
- vii. Administrative Continuation of Permits N.J.A.C. 7:14A-2.8
- viii. Duty to Mitigate N.J.A.C. 7:14A-6.2(a)5, 6.2(a)11
- ix. Permit Actions N.J.A.C. 7:14A-2.7(c)
- x. Permit Duration and Renewal N.J.A.C. 7:14A-2.7(a), (b)
- xi. Effect of Permit N.J.A.C. 7:14A-2.9(c), 6.2(a)6&7

xii.	Inspection and Entry	N.J.A.C. 7:14A-2.11(e)
xiii.	Severability	N.J.A.C. 7:14A-2.2(b)
xiv.	Toxic Pollutants	N.J.A.C. 7:14A-6.2(a)4
xv.	Standard Reopener Clause	N.J.A.C. 7:14A-6.2(a)10
xvi.	General Permits	N.J.A.C. 7:14A-6.13
xvii.	Fee Schedule	N.J.A.C. 7:14A-3.1
b. Operation and Maintenance		
i.	Proper Operation and Maintenance	N.J.A.C. 7:14A-6.12(a)
ii.	Need to Halt or Reduce not a Defense	N.J.A.C. 7:14A-2.9(b)
iii.	Bypass	N.J.A.C. 7:14A-6.11
iv.	Upset	N.J.A.C. 7:14A-6.11
c. Records and Reporting Requirements		
i.	Record Keeping	N.J.A.C. 7:14A-6.6
ii.	Planned Changes	N.J.A.C. 7:14A-6.7
iii.	Changes in Discharge	N.J.A.C. 7:14A-6.7
iv.	Anticipated Noncompliance	N.J.A.C. 7:14A-6.7
v.	Transfer	N.J.A.C. 7:14A-6.2(a)8, 6.13(n), 16.116.2
vi.	Compliance Schedules	N.J.A.C. 7:14A-6.4
vii.	Noncompliance Reporting	N.J.A.C. 7:14A-6.10
viii.	Duty to Provide Information	N.J.A.C. 7:14A-2.11, 6.2(a)14
ix.	Signatory Requirements	N.J.A.C. 7:14A-4.9
x.	Public Access to Information	N.J.A.C. 7:14A-18.1
xi.	Additional Requirements for all Existing Manufacturing, Commercial, Mining, Silviculture, and Research Facilities	N.J.A.C. 7:14A-11.3
xii.	Missing or Incorrect Information	N.J.A.C. 7:14A-2.11(f), 6.10(e)2 & (f)3
xiii.	Confidentiality	N.J.A.C. 7:14A-18.2

## G. SPECIAL CONDITIONS

### 1. Other Laws

- a. In accordance with N.J.A.C. 7:14A-6.2(a)7, this permit does not authorize any infringement of State or local law or regulations, including, but not limited to the Pinelands rules (N.J.A.C. 7:50), N.J.A.C. 7:1E (Department rules entitled "Discharges of Petroleum and other Hazardous Substances"), and all other Department rules. No discharge of hazardous substances (as defined in N.J.A.C. 7:1E-1.6) resulting from an onsite spill shall be deemed to be "pursuant to and in compliance with permit" within the meaning of the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11c.
- b. Exemptions

- i. Operations and Maintenance Manual: In accordance with N.J.A.C. 7:14A-6.12(c), for a stormwater discharge authorized by this permit, the permittee is exempt from the requirement to prepare an operations and maintenance manual.

#### H. DEFINITIONS

1. Unless otherwise stated herein the definitions set forth at N.J.A.C. 7:14A-1.2 are incorporated into this permit.
2. "Separate storm sewer" means a conveyance or system of conveyances (including roads with drainage systems, streets, catch basins, gutters, ditches, man-made channels, or storm drains):
  - a. Designed or used for collecting or conveying stormwater;
  - b. Which is not part of a "combined sewer system"; and
  - c. Which is not part of a "Publicly Owned Treatment Works" (POTW).
3. "Stormwater" means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewerage or drainage facilities, or conveyed by snow removal equipment.

#### I. ATTACHMENT A: RFA CERTIFICATION

1. Every Request for Authorization (RFA) shall include the following RFA certification.
  - a. "I certify under penalty of law that this Request for Authorization and all attached documents were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. As far as I know, none of the stormwater discharges for which this Request for Authorization is submitted are excluded from authorization by Section A.2 or A.3 of NJPDES Permit No. NJ0088323.
  - b. "I am aware that pursuant to the Water Pollution Control Act (see N.J.S.A. 58:10A-10f(2) and (3)), there are significant civil and criminal penalties for making a false statement, representation or certification in any application, record, or other document filed or required to be maintained under that Act, including fines and/or imprisonment."
2. The RFA certification shall be signed as follows:
  - a. For a corporation, by a responsible corporate officer as described in N.J.A.C. 7:14A-4.9(a)1;
  - b. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively;

- c. For a municipality, State, Federal or other public agency, by either a principal executive officer or ranking elected official; or
- d. For a corporation or other entity under a., b., or c., above, by a duly authorized representative, provided that:
  - i. The representative is authorized by a person described in a., b., or c., above;
  - ii. This authorization specifies either an individual or a position responsible for the overall operation of the regulated facility such as plant manager, operator of a well or well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company or public agency. A duly authorized representative may thus be either a named individual or any individual occupying a named position; and
  - iii. The written authorization is attached to the RFA.
3. A separate RFA certification shall be signed, dated and submitted for each person submitting the RFA.

J. ATTACHMENT B: CONSTRUCTION SITE WASTE CONTROL COMPONENT OF THE STORMWATER POLLUTION PREVENTION PLAN (SPPP)

1. The construction site waste control component of the SPPP consists of the requirements in 2., 3., and 4. below. These requirements become operative on March 3, 2004 and apply only to construction activities that commence on or after March 3, 2004. Public projects that have gone out for bid or have been awarded a contract prior to March 3, 2004 are exempt from implementing the new requirements for construction site waste management. Construction activities that commenced prior to March 3, 2004 but did not obtain certification (or approval from exempt municipality) required under the Soil Erosion and Sediment Control Act are not exempt from the requirements in this section. Any other new construction activity for which an RFA is submitted on or after March 3, 2004 or which receive automatic renewal of authorization under this permit after March 3, 2004 also shall comply with these requirements. These requirements apply only to such facilities with “stormwater discharge associated with small construction activity” as defined at N.J.A.C. 7:14A-1.2, and to such facilities with stormwater discharge associated with construction activity described under subparagraph 1x of the N.J.A.C. 7:14A-1.2 definition of “stormwater discharge associated with industrial activity.”
2. Material Management to Prevent or Reduce Waste – Any pesticides, fertilizers, fuels, lubricants, petroleum products, anti-freeze, paints and paint thinners, cleaning solvents and acids, detergents, chemical additives, and concrete curing compounds shall be stored in containers in a dry covered area. Manufacturers’ recommended application rates, uses, and methods shall be strictly followed to the extent necessary to prevent or minimize the presence of waste from such materials in the stormwater discharge authorized by this permit. (The preceding sentence does not apply to any manufacturers’ recommendations about fertilizer or other material that conflict with the erosion and sediment control component of the facility’s SPPP.)
3. Waste Handling – The following requirements apply only to construction site waste that has the potential to be transported by the stormwater discharge authorized by this

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permit. The handling at the construction site of waste building material and rubble and other construction site wastes, including litter and hazardous and sanitary wastes, shall conform with the State Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq., and its implementing rules at N.J.A.C. 7:26, 7:26A, and 7:26G; the New Jersey Pesticide Control Code at N.J.A.C. 7:30; the State litter statute (N.J.S.A. 13:1E-99.3); and OSHA requirements for sanitation at 29 C.F.R. 1926 (except where such conformance is not relevant to the stormwater discharge authorized by this permit). Construction sites shall have one or more designated waste collection areas onsite or adjacent to the site, and an adequate number of containers (with lids or covers) for waste. Waste shall be collected from such containers before they overflow, and spills at such containers shall be cleaned up immediately.

- a. Construction site wastes include but are not limited to:
  - i. “Construction and demolition waste,” as defined in N.J.A.C. 7:26-1.4 as follows: “waste building material and rubble resulting from construction, remodeling, repair, and demolition operations on houses, commercial buildings, pavements and other structures. The following materials may be found in construction and demolition waste: treated and untreated wood scrap; tree parts, tree stumps and brush; concrete, asphalt, bricks, blocks and other masonry; plaster and wallboard; roofing materials; corrugated cardboard and miscellaneous paper; ferrous and non-ferrous metal; non-asbestos building insulation; plastic scrap; dirt; carpets and padding; glass (window and door); and other miscellaneous materials; but shall not include other solid waste types.”
  - ii. Any waste building material and rubble resulting from such operations that is hazardous for purposes of N.J.A.C. 7:26G (the Hazardous Waste rules).
  - iii. Discarded (including spilled) pesticides, fertilizers, fuels, lubricants, petroleum products, anti-freeze, paints and paint thinners, paint chips and sandblasting grits, cleaning solvents, acids for cleaning masonry surfaces, detergents, chemical additives used for soil stabilization (e.g., calcium chloride), and concrete curing compounds.
  - iv. Other “litter,” as defined at N.J.S.A. 13:1E-215.d as follows: “any used or unconsumed substance or waste material which has been discarded whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.”
  - v. Sanitary sewage and septage.
  - vi. Contaminated soils encountered or discovered during earthmoving activities or during the cleanup of a leak or discharge of a hazardous substance.

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- b. Concrete Truck Washout – Concrete truck washout onsite is prohibited outside designated areas. Designated washout areas shall be lined and bermed to prevent discharges to surface and ground water. Hardened concrete from concrete truck washout shall be removed and properly disposed of.
  - c. Sanitary Sewage/Septage Disposal – Discharges of raw sanitary sewage or septage onsite are strictly prohibited. Adequate facilities with proper disposal shall be provided and maintained onsite or adjacent to the site for all workers and other sanitary needs.
4. Spills; Discharges of Hazardous Substances; Federally Reportable Releases –
- a. Spill kits shall be available onsite or adjacent to the site for any materials that are listed in 2. above and used or applied onsite. All spills of such material shall be contained and cleaned up immediately. Cleaned up materials shall be properly disposed of.
  - b. Discharges of hazardous substances (as defined in N.J.A.C. 7:1E-1.6) in construction site wastes are subject to the provisions of the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq., and of Department rules for Discharges of Petroleum and Other Hazardous Substances at N.J.A.C. 7:1E. No discharge of hazardous substances resulting from an onsite spill shall be deemed to be "pursuant to and in compliance with [this] permit" within the meaning of the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11c.
  - c. Releases in excess of reportable quantities (RQ) established under 40 C.F.R. 110, 117, and 302 that occur within a 24-hr period must be reported to the National Response Center (800 424-8802).