

## Environmental Permits

The following list of permits is not all-inclusive. It only highlights some common permits required for projects at Port Authority facilities. The information is for reference only. The Tenant is responsible for identifying and acquiring all permits.

### **For work in both New York and New Jersey - the following permits are issued by the US Army Corp of Engineers(ACOE):**

1. Nationwide Permit No. 3- required for the repair, rehabilitation, or replacement of any previously authorized, currently serviceable, structure or fill. Also, any currently serviceable structure or fill authorized by 33 CFR 330.3 provided the structure or fill is not to be put to uses differing from those uses specified or contemplated for in the original permit or the most recently authorized modification.
2. Section 404 (Clean Water Act)- Discharge of dredges or fill material into jurisdictional waters and wetlands of the US.
3. Section 103 - Transportation of any dredged material for the purpose of dumping it into ocean waters
4. Jurisdictional Determination - Verification of wetland
5. Maintenance Dredging - Authorization to do maintenance dredging

Further information, forms, and documents for work in New York or New Jersey can be accessed from the USACE's Regulatory Branch at <http://www.nan.usace.army.mil/business/buslinks/regulat/index.php>

### **For work in the State of New Jersey - the following permits are issued by the New Jersey Department of Environmental Protection:**

1. Waterfront Development Permit (N.J.S.A. 12:5-3) - construction within 500 feet of tidal waters of the State with reference to the mean high water line (e.g. construction or addition of docks, wharves, piers, bulkheads, bridges, pipelines, cables, pilings, dolphins, permanent buildings and removal of sub aqueous materials (dredging or fillings).
2. Wetlands Permit (N.J.S.A 13:9A/13:9B):
  - Tidal wetlands permit- required for the coastal wetlands that extend from the head of tide at Trenton on the Delaware River south along Delaware Bay, up the east coast to the mouth of the Raritan River. (e.g. excavation of small boat mooring slips, maintenance or repair of bridges, roads, highways or the facilities of any utility or municipality, and construction of catwalk, piers, docks, landings and observation decks, installation of utilities, excavation of boat channels, construction of sea walls, or filling excavating or the construction of any structure.
  - Freshwater Wetlands Permit- required prior to engaging in any activity in and around freshwater wetlands and associated transition areas (e.g. disturbance of soil, sand, gravel or aggregate material of any kind, disturbance of the water level or water table, driving of pilings, placing of obstructions, and destruction of plant life)
3. Flood Hazard Area Permit (N.J.S.A. 58:16A) - Construction, installation or alteration of any structure or permanent fill along, in or across, the channel or flood plain of any watercourse (e.g. new buildings, roads, bridges, utility lines or stormwater discharges, storing material, placing fill and clearing vegetation).
4. Air Quality Permit (N.J.A.C. 7:26) - An operating permit for smokestack that discharges air contaminants in a facility (e.g. installation of boilers, generators, storage tanks or renewing current permits for existing sources ).

5. Water Quality Certificate (N.J.A.C 7:7) - Projects requiring a federal permit for the discharge of dredged or fill material into state waters and/or adjacent wetlands. Certification insures consistency with state water quality standards and management policies.
6. Treatment Works Approval - Connection to public sewer line to connect two buildings, discharges of more than 8,000 gallons per day, pipe replacement to increase existing sewer pipe diameter, or treatment of waste waters.
7. Request for Authorization – Discharging of stormwater during construction that disturbs soil of one acre or more. Requires a Soil Erosion and Sediment Control Plan Certification issued by the local soil conservation district.
8. Individual NJPDES(N.J.A.C. 7:14A) - Discharging stormwater, associated with industrial activity, into ground and surface water. Such permits are required for facilities that are not covered by the General Permit (see below). Contaminated groundwater from a pump test or long-term remediation must be regulated under this permit prior to discharge. *New discharges or expansions at existing municipal facilities to surface waters must first receive a Discharge Allocation Certificate.*
9. NJPDES- General Permit - General Permit groups common dischargers into classes that can be regulated with a standard set of permit conditions.
  - Basic Industrial Stormwater Permit (5G2)
  - Construction Activities (5G3)
  - Newark Airport (R5)
  - Lined Surface Impoundments (LSI)
  - Sanitary Subsurface Disposal (T1)
10. Underground Storage Tank Closure - Closure activities of all underground storage tanks containing hazardous substances, except for those tanks exempted by N.J.A.C. 7:14B-1.4(b).

Further information can be located through the NJDEP website at <http://www.state.nj.us/dep/>

**For work in the State of New Jersey - the following Permit is issued by the local Soil Conservation District:**

1. Soil Erosion and Sediment Control Plan Certification - Projects that disturb more than 5,000 square feet or one acre of surface area of land (e.g. Demolition/construction/modification/restoration of structures like buildings, docks, piers, wharves, walkways; excavation, grading, mining, dredging, and deposition of material).

**For work in New York - the following permits are issued by the New York State Department of Environmental Conservation or New York City Department of Environmental Pro:**

1. Air Permit Title V Facility Permit (6 NYCRR Parts 200 through 317) - An operating permit for smokestack that discharges air contaminants in a facility (e.g. installation of boilers, generators, storage tanks or renewing current permits for existing sources).
2. SPDES Individual Permit (6NYCRR Part 750) - Permits the discharge of storm water at a single facility in one location.
3. Wetlands Permit( 6NYCRR Part 661) - Work in or near wetlands, areas that are transitional between open water and uplands or that may be periodically inundated or saturated.
4. Protection of Waters Permit - Article 15 (6NYCRR Part 608) - Modification or disturbance of the bed or banks of protected streams; filling or dredging in navigable waters; construction, reconstruction, or repair of certain dams; construction reconstruction, or modification of certain docks, mooring areas or other structures in navigable waters.
5. Water Quality Certificate – Discharge of dredged or fill material regulated under Section 404 of the Clean Water act.

Further information, forms, and documents for permits from NYSDEC can be accessed from the Permits & Licenses web page at: <http://www.dec.ny.gov/63.html>

Further information, forms, and documents for permits from NYCDEP can be accessed at the NYCDEP homepage: <http://www.nyc.gov/html/dep/html/home/home.shtml>

**The following permit is issued by the New York Department of State:**

1. Costal Zone Management/Consistency Concurrence( 19 NYCRR Part 600)- Activities and development affecting coastal resources are required to be consistent with New York State Department of State Coastal Zone policies.

<http://www.nyswaterfronts.com/consistency.asp>