



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Nonpoint Pollution Control

Division of Water Quality

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

JON S. CORZINE  
*Governor*

MARK N. MAURIELLO  
*Acting Commissioner*

### **Interim Process for Certification of Manufactured Treatment Devices As Of May 15, 2009 through the Effective Date of Revised Stormwater Management Rules at N.J.A.C. 7:8**

**In light of the recent economic situation facing the State, the Department of Environmental Protection has determined that the Process for Certification of Manufactured Treatment Devices needs to be modified. Therefore, as of May 15, 2009, the following process will apply to Department reviews of Manufactured Treatment Devices (MTDs) used for compliance with the Stormwater Management Rules at N.J.A.C. 7:8. The Department anticipates proposing further adjustments to this process through the readoption of the Stormwater Management Rules later in 2009.**

#### **I. MTDs with Final Certifications**

MTDs that have previously received final certification from the Department will receive an expiration date of **May 15, 2011**.

#### **II. MTDs with Interim Certifications**

MTDs that have received verification from the NJ Corporation for Advanced Technology (NJCAT) and interim certification from the Department will automatically receive an extension of their interim certification until **May 15, 2011**, provided the manufacturer's maintenance plan (in PDF format) is submitted to the Department by August 15, 2009. The maintenance plan shall ensure that the removal rates are maintained or exceeded in a field installation. Interim certification extensions will not be issued for MTDs that submit the manufacturer's maintenance plan after August 15, 2009.

#### **III. MTDs with NJCAT Verifications issued as of May 15, 2009**

MTDs that have not received interim certification, but have received verification from NJCAT, will receive interim certification from the Department. Interim certification will be issued for either 50% TSS Removal Rate for hydrodynamic devices or 80% TSS Removal Rate for filter devices, provided that the submitted data for the devices demonstrate that these removal rates are met or exceeded. A maintenance plan (in PDF format) shall be included. The maintenance plan shall ensure that the removal rates are maintained or exceeded in a field installation. The request for interim certification must include a document signed by the manufacturer indicating that the requirements of the maintenance portion of the 2009 NJDEP Testing Protocols, as amended and supplemented (Hydrodynamic, Filter, or Field requirements in accordance with NJ Amendments

of TARP), are incorporated into the maintenance plan. **These certifications will expire on May 15, 2011.**

#### **IV. MTDs within the Testing Portion of the NJCAT Verification Process as of May 15, 2009**

MTDs that are in the field or laboratory testing portion, under existing protocols, of the verification process with NJCAT as of **May 15, 2009**, may receive certification from the Department. These MTDs may proceed under existing protocols (December, 2003 Total Suspended Solids Lab Testing Procedure; July, 2003 TARP Tier II Protocol for Stormwater Best Management Practice Demonstration; January, 2006 Amendments to TARP Tier II Protocols; and June 28, 2006 Particle Size Distribution Requirements); however, NJCAT will not review nor issue verifications under existing protocols after **May 15, 2011** for compliance with the Stormwater Management Rules. In addition, the Department issued certifications, based on the following requirements, will expire on **May 15, 2011**.

1. NJCAT verification includes a document signed by the NJCAT Executive Director or designee and the manufacturer listing and indicating that the requirements of the protocols are met.
2. NJCAT verification ensures any scaling method is consistent with 2009 NJDEP Testing Protocols, as amended and supplemented (Hydrodynamic, Filter, or Field requirements in accordance with NJ Amendments of TARP).
3. NJCAT verification includes a recommended certification removal rate and associated justification.
4. NJCAT verification includes a maintenance plan addressing the depth when sediment removal and/or filter replacement/re-commissioning is required, in accordance with 2009 NJDEP Testing Protocols, as amended and supplemented (Hydrodynamic, Filter, or Field requirements in accordance with NJ Amendments of TARP).

#### **V. MTDs that Start the Testing Portion of the NJCAT Verification Process between May 15, 2009 and Effective Date of New Rules**

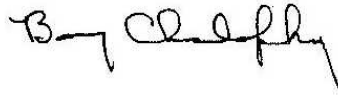
MTDs that start the field or laboratory testing portion of the NJCAT verification process between **May 15, 2009** and the **effective date of the new Stormwater Management Rules, N.J.A.C. 7:8 (Rules)**, may receive acknowledgement of certification from the Department. The Department's receipt of the NJCAT verification and certification as well as the documents from the testing entity and the manufacturer (explained below) will be acknowledged by the Department. NJCAT will not review/issue verifications or certifications based on the following requirements after **May 15, 2011** for compliance with the Stormwater Management Rules. The Department's acknowledgement, based on the following requirements, will allow the device to be used in compliance with the Stormwater Management Rules and will expire on **May 15, 2011**.

1. The testing of the MTD follows the 2009 NJDEP Testing Protocols, as amended and supplemented (Hydrodynamic, Filter, or Field requirements in accordance with NJ Amendments of TARP);
2. The device is tested by a third party entity in accordance with the 2009 NJDEP Testing Protocols, as amended and supplemented (Hydrodynamic, Filter, or Field requirements in accordance with NJ Amendments of TARP),

3. Verification and certification for the TSS removal rate is obtained from the NJ Corporation for Advanced Technology (NJCAT).
4. A document signed by the testing entity and the manufacturer indicating compliance with the 2009 NJDEP Testing Protocols, as amended and supplemented (Hydrodynamic, Filter, or Field requirements in accordance with NJ Amendments of TARP) is submitted to NJCAT.

**All Department certifications will expire on May 15, 2011. The Department's amendments to the Stormwater Management Rules at N.J.A.C. 7:8 are anticipated to be adopted prior to May 15, 2011. In the event that the rules are not adopted prior to May 15, 2011, the Department will provide revised guidance regarding certification requirements and associated expiration dates.**

**The table below identifies the status of all MTDs. Questions on the Process may be directed to Ms. Sandra Blick, Supervisor, Stormwater Management Unit, at 609-633-7021.**



**Barry Chalofsky, P.P.  
Chief, Bureau of Nonpoint Pollution Control**

<p><b>I. MTDs with Final Certifications, as follows:</b></p> <ol style="list-style-type: none"> <li>1. StormVault by CONTECH Stormwater Solutions, Inc. <ul style="list-style-type: none"> <li>• 80%</li> </ul> </li> <li>2. Stormwater Management StormFilter by CONTECH Stormwater Solutions, Inc. <ul style="list-style-type: none"> <li>• 80%</li> </ul> </li> </ol>	<p>MTDs that have previously received final certification from the Department will receive an expiration date of <b>May 15, 2011</b>.</p>
<p><b>II. MTDs with Interim Certifications, as follows:</b></p> <ol style="list-style-type: none"> <li>1. AquaFilter Filtration Chamber by AquaShield, Inc. <ul style="list-style-type: none"> <li>• Interim Exp. Date: 3/31/2009 80%</li> </ul> </li> <li>2. Aqua-Swirl Concentrator by Aqua-Shield. Inc. <ul style="list-style-type: none"> <li>• Interim Exp. Date: 3/31/2009 50%</li> </ul> </li> <li>3. BaySeparator by BaySaver Technologies, Inc. <ul style="list-style-type: none"> <li>• Interim 1</li> <li>• Interim 2 Exp. Date: 9/5/2010 50%</li> </ul> </li> <li>4. Downstream Defender by Hydro International, Inc. <ul style="list-style-type: none"> <li>• Interim 1</li> <li>• Interim 2 Exp. Date: 4/14/2009 50%</li> </ul> </li> <li>5. FloGard Dual-Vortex Hydrodynamic Separator by KriStar Enterprises, Inc. <ul style="list-style-type: none"> <li>• Interim Date: 12/31/2009 50%</li> </ul> </li> <li>6. High Efficiency Continuous Deflective Separator (CDS) Unit by CONTECH Stormwater Solutions, Inc. <ul style="list-style-type: none"> <li>• Interim Exp. Date: 3/1/2009 50%</li> </ul> </li> <li>7. Jellyfish Filter by Imbrium Systems Corporation <ul style="list-style-type: none"> <li>• Interim Exp. Date: 2/24/2011 80%</li> </ul> </li> <li>8. Media Filtration Systems by CONTECH Stormwater Solutions, Inc. <ul style="list-style-type: none"> <li>• Interim Exp. Date: 8/31/2008 80%</li> </ul> </li> <li>9. Stormceptor OSR by Imbrium Systems Corporation <ul style="list-style-type: none"> <li>• Interim Exp. Date: 9/30/2009 50%</li> </ul> </li> <li>10. Stormceptor STC by Imbrium Systems Corporation <ul style="list-style-type: none"> <li>• Interim Exp. Date: 6/30/2007 50%</li> </ul> </li> <li>11. TerreKleen Stormwater Device by Terre Hill Concrete Products <ul style="list-style-type: none"> <li>• Interim 1</li> <li>• Interim 2 Exp. Date: 3/31/2009 50%</li> </ul> </li> <li>12. Vortechs Stormwater Treatment System by CONTECH Stormwater Solutions, Inc <ul style="list-style-type: none"> <li>• Interim Exp. Date: 4/30/2009 50%</li> </ul> </li> <li>13. VortFilter System by CONTECH Stormwater Solutions, Inc. <ul style="list-style-type: none"> <li>• Interim Exp. Date: 1/31/2008 80%</li> </ul> </li> <li>14. VortSentry System by CONTECH Stormwater Solutions, Inc. <ul style="list-style-type: none"> <li>• Interim Exp. Date: 2/29/2009 50%</li> </ul> </li> </ol>	<p>MTDs that have received verification from the NJ Corporation for Advanced Technology (NJCAT) and interim certification from the Department will automatically receive an extension on their interim certification until <b>May 15, 2011</b>, provided the manufacturer's maintenance plan (in pdf format) is submitted to the Department by August 15, 2009. Interim certification extensions will not be issued for MTDs that submit the manufacturer's maintenance plan after August 15, 2009.</p>

<p><b>III. MTDs with NJCAT Verifications issued as of May 15, 2009, as follows:</b></p> <ol style="list-style-type: none"> <li>1. Bayfilter by Baysaver Technologies, Inc.</li> <li>2. FloGard Dual-Vortex Hydrodynamic Separator by KriStar Enterprises, Inc. (Verification addendum)</li> <li>3. Nutrient Baffle Box by Suntree Technologies, Inc.</li> <li>4. StormTech Isolator Row by StormTech, LLC</li> <li>5. Up-Flo Filter by Hydro International, Inc.</li> <li>6. V2B1 Stormwater Treatment System by Environment 21, LLC</li> </ol>	<p>MTDs that have not received interim certification, but have received verification from NJCAT, will receive interim certification from the Department. Interim certification will be issued for either 50% TSS Removal Rate for hydrodynamic devices or 80% TSS Removal Rate for filter devices, provided that the submitted data for the devices demonstrate that these removal rates are met or exceeded. A maintenance plan (in pdf format) shall be included. The maintenance plan shall ensure that the removal rates are maintained or exceeded in a field installation. The request for interim certification must include a document signed by the manufacturer indicating that the requirements of the maintenance portion of the 2009 NJDEP Testing Protocols, as amended and supplemented (Hydrodynamic, Filter, or Field requirements in accordance with NJ Amendments of TARP), are incorporated into the maintenance plan. <b>These certifications will expire on May 15, 2011.</b></p>
<p><b>IV. MTDs within the Testing Portion of the NJCAT Verification Process as of May 15, 2009, as follows:</b></p> <ol style="list-style-type: none"> <li>1. AquaFilter Filtration Chamber by AquaShield, Inc</li> <li>2. Aqua-Swirl Concentrator by Aqua-Shield, Inc.</li> <li>3. BaySeparator by BaySaver Technologies, Inc.</li> <li>4. Bayfilter by Baysaver Technologies, Inc.</li> <li>5. Downstream Defender by Hydro International, Inc.</li> <li>6. Stormwater Filtration System by EcoSense</li> <li>7. High Efficiency Continuous Deflective Separator (CDS) Unit by CONTECH Stormwater Solutions, Inc.</li> <li>8. Hydroguard by Hydroworks, LLC</li> <li>9. Media Filtration Systems by CONTECH Stormwater Solutions, Inc.</li> <li>10. Smart Sponge by AbTech Industries, Inc.</li> <li>11. Vortechs Stormwater Treatment System by CONTECH Stormwater Solutions, Inc.</li> <li>12. VortSentry System by CONTECH Stormwater Solutions, Inc.</li> <li>13. Water Quality Device by CrystalStream Technologies</li> </ol>	<p>MTDs that are in the field or laboratory testing portion, under existing protocols, of the verification process with NJCAT as of <b>May 15, 2009</b>, may receive certification from the Department. These MTDs may proceed under existing protocols (December, 2003 Total Suspended Solids Lab Testing Procedure; July, 2003 TARP Tier II Protocol for Stormwater Best Management Practice Demonstration; January, 2006 Amendments to TARP Tier II Protocols; and June 28, 2006 Particle Size Distribution Requirements); however, NJCAT will not review nor issue verifications under existing protocols after <b>May 15, 2011</b> for compliance with the Stormwater Management Rules. In addition, the Department issued certifications, based on the following requirements, will expire on <b>May 15, 2011</b>.</p> <ol style="list-style-type: none"> <li>1. NJCAT verification includes a document signed by the NJCAT Executive Director or designee and the manufacturer listing and indicating that the requirements of the protocols are met.</li> <li>2. NJCAT verification ensures any scaling method is consistent with 2009 NJDEP Testing Protocols, as amended and supplemented (Hydrodynamic, Filter, or</li> </ol>

	<p>Field requirements in accordance with NJ Amendments of TARP).</p> <ol style="list-style-type: none"> <li>3. NJCAT verification includes a recommended certification removal rate and associated justification.</li> <li>4. NJCAT verification includes a maintenance plan addressing the depth when sediment removal and/or filter replacement/re-commissioning is required, in accordance with 2009 NJDEP Testing Protocols, as amended and supplemented (Hydrodynamic, Filter, or Field requirements in accordance with NJ Amendments of TARP).</li> </ol>
<p><b>V. MTDs that Start the Testing Portion of the NJCAT Verification Process between May 15, 2009 and Effective Date of New Rules</b></p>	<p>MTDs that start the field or laboratory testing portion of the NJCAT verification process between <b>May 15, 2009</b> and the <b>effective date of the new Stormwater Management Rules, N.J.A.C. 7:8</b>, may receive acknowledgement of certification from the Department. The Department's receipt of the NJCAT verification and certification as well as the documents from the testing agency and the manufacturer (explained below) will be acknowledged by the Department. NJCAT will not review/issue verifications or certifications based on the following requirements after <b>May 15, 2011</b> for compliance with the Stormwater Management Rules. The Department's acknowledgement of certification, based on the following requirements, will allow the device to be used in compliance with the Stormwater Management Rules and will expire on <b>May 15, 2011</b>.</p> <ol style="list-style-type: none"> <li>1. The testing of the MTD follows the 2009 NJDEP Testing Protocols, as amended and supplemented (Hydrodynamic, Filter, or Field requirements in accordance with NJ Amendments of TARP);</li> <li>2. The device is tested by a third party entity in accordance with the 2009 NJDEP Testing Protocols, as amended and supplemented (Hydrodynamic, Filter, or Field requirements in accordance with NJ Amendments of TARP),</li> <li>3. Verification and certification for the TSS</li> </ol>

removal rate is obtained from the NJ Corporation for Advanced Technology (NJCAT).

4. A document signed by the testing agency and the manufacturer indicating compliance with the 2009 NJDEP Testing Protocols, as amended and supplemented (Hydrodynamic, Filter, or Field requirements in accordance with NJ Amendments of TARP) is be submitted to NJCAT.