



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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Governor

DIVISION OF WATERSHED PROTECTION AND RESTORATION
BUREAU OF NJPDES STORMWATER PERMITTING & WATER QUALITY MANAGEMENT

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January 6, 2022

W. Scott Gorneau, P.E.
Vice President
Convergent Water Technologies
13810 Hollister Road, Suite 100
Houston, TX 77086

Re: MTD Lab Certification
FocalPoint High Performance Modular Biofiltration System
Offline Installation

TSS Removal Rate 80%

Dear Mr. Gorneau:

The Stormwater Management rules under N.J.A.C. 7:8-5.2(f) and 5.2(j) allow the use of manufactured treatment devices (MTDs) for compliance with the design and performance standards at N.J.A.C. 7:8-5 if the pollutant removal rates have been verified by the New Jersey Corporation for Advanced Technology (NJCAT) and have been certified by the New Jersey Department of Environmental Protection (NJDEP). Convergent Water Technologies has requested a Laboratory Certification for the FocalPoint High Performance Modular Biofiltration System (FocalPoint HPMBS).

The project falls under the "Procedure for Obtaining Verification of a Stormwater Manufactured Treatment Device from New Jersey Corporation for Advance Technology" dated January 25, 2013. The applicable protocol is the "New Jersey Department of Environmental Protection Laboratory Protocol to Assess Total Suspended Solids Removal by a Filtration Manufactured Treatment Device" dated January 25, 2013.

NJCAT verification documents submitted to the NJDEP indicate that the requirements of the aforementioned protocol have been met or exceeded. The NJCAT letter also included a recommended certification TSS removal rate and the required maintenance plan. The NJCAT Verification Report with the Verification Appendix (dated November 2021) for this device is published online at <http://www.njcat.org/verification-process/technology-verification-database.html>.

The NJDEP certifies the use of the FocalPoint HPMBs by Convergent Water Technologies at a TSS removal rate of 80% when designed, operated, and maintained in accordance with the information provided in the Verification Appendix and the following conditions:

1. The maximum treatment flow rate (MTFR) for the manufactured treatment device (MTD) is calculated using the New Jersey Water Quality Design Storm (1.25 inches in 2 hrs) in N.J.A.C. 7:8-5.5. The MTFR is calculated based on a verified loading rate of 1.6 gpm/ft² of effective filtration treatment area.
2. The FocalPoint HPMBs shall be installed using the same configuration reviewed by NJCAT, and sized in accordance with the criteria specified in item 7 below.
3. This device cannot be used in series with another MTD or a media filter (such as a sand filter) to achieve an enhanced removal rate for total suspended solids (TSS) removal under N.J.A.C. 7:8-5.5.
4. Additional design criteria for MTDs can be found in Chapter 9.5 of the New Jersey Stormwater Best Management Practices (NJ Stormwater BMP) Manual, which can be found online at www.njstormwater.org.
5. The maintenance plan for a site using this device shall incorporate, at a minimum, the maintenance requirements for the FocalPoint HPMBs. A copy of the maintenance plan is attached to this certification. However, it is recommended to review the maintenance website at <https://convergewater.wpengine.com/wp-content/uploads/2021/06/focalpoint-operations-maintenance-guide.pdf> for any changes to the maintenance requirements.
6. For an MTD to be considered “green infrastructure” in accordance with the March 2, 2020 amendments to the Stormwater Management rules at N.J.A.C. 7:8, the MTD must meet the GI definition noted at amended N.J.A.C. 7:8-1.2. Specifically, the MTD shall (1) infiltrate into the subsoil; and/or (2) treat stormwater runoff through filtration by vegetation or soil. Any configuration that uses a bio-filtration media and can be configured "above ground" and incorporate a tree box, planter box, or shrubs, etc., would meet the GI definition. Any MTD with bio-filtration media that would be placed "below ground" as a vault without any vegetation can be considered GI (for NJ purposes) only if the device infiltrates the entire Water Quality Design Storm into the subsoil. Further, the below ground device (vault) would need to meet the NJDEP Stormwater BMP Manual conditions of having the soil below the MTD meet the minimum tested infiltration rate of one inch per hour, have at least two feet of separation from the seasonal high water table, and infiltrate into the subsoil.
7. Sizing Requirement:

The example below demonstrates the sizing procedure for the FocalPoint HPMBs:

Example: A 0.25-acre impervious site is to be treated to 80% TSS removal using an FocalPoint HPMBs. The impervious site runoff (Q) based on the New Jersey Water Quality Design Storm was determined to be 0.79 cfs or 354.58 gpm.

The selection of the appropriate model of an FocalPoint HPMBs is based upon both the maximum inflow drainage area and the MTFR. It is necessary to calculate the required model using both methods and to use the largest model determined by the two methods.

Inflow Drainage Area Evaluation:

The drainage area to the FocalPoint HPMBS in this example is 0.25 acres. Based upon the information in Table 1 below, the FocalPoint HPMBS model FP-42 would be the smallest model able to treat the runoff without exceeding the maximum allowable drainage area of the model selected.

Maximum Treatment Flow Rate (MTFR) Evaluation:

The site runoff (Q) was based on the following:

time of concentration = 10 minutes

i = 3.2 in/hr (page 21, Fig. 5-10 of Chapter 5 of the NJ Stormwater BMP Manual)

c = 0.99 (runoff coefficient for impervious)

$Q = ciA = 0.99 \times 3.2 \times 0.25 = 0.79$ cfs (354.58 gpm)

(Note: 1 cfs = 448.83 gpm)

Given the site runoff is 0.79 cfs and based on Table 1 below, multiple units would be required. For example, two FP-120 FocalPoint HPBMS models could be used to treat the impervious area without exceeding the MTFR of the individual model. The units should be configured such that the flowrate to each unit does not exceed 0.428 cfs and the entire 0.25-acre area is treated.

Example: two FP-120 FocalPoint HPBMS models at 0.428 cfs = 0.856 cfs

The MTFR evaluation results will be used since that method results in the highest minimum configuration determined by the two methods.

The sizing table corresponding to the available system models is noted below. Additional specifications regarding each model can be found in the NJCAT Verification Report in the Verification Appendix under Table A-1.

**Table 1. FocalPoint High Performance Modular Biofiltration System
Model MTFRs and Maximum Allowable Drainage Area.**

FocalPoint HPMBS Model	Filter Bed Area (ft²)	MTFR (cfs)	Maximum Allowable Drainage Area (acres)
FP-20	20	0.071	0.12
FP-30	30	0.107	0.18
FP-42	42	0.150	0.25
FP-50	50	0.178	0.30
FP-55	55	0.196	0.33
FP-70	70	0.249	0.42
FP-80	80	0.285	0.47
FP-83	83	0.297	0.49
FP-90	90	0.321	0.53
FP-100	100	0.356	0.59
FP-120	120	0.428	0.71
FP-140	140	0.499	0.83
FP-160	160	0.570	0.95
FP-166	166	0.592	0.98
FP-220	220	0.784	1.31

Be advised a detailed maintenance plan is mandatory for any project with a Stormwater BMP subject to the Stormwater Management Rules, N.J.A.C. 7:8. The plan must include all of the items identified in the Stormwater Management Rules, N.J.A.C. 7:8-5.8. Such items include, but are not limited to, the list of inspection and maintenance equipment and tools, specific corrective and preventative maintenance tasks, indication of problems in the system, and training of maintenance personnel. Additional information can be found in Chapter 8: Maintenance and Retrofit of Stormwater Management Measures.

If you have any questions regarding the above information, please contact Lisa Schaefer of my office at lisa.schaefer@dep.nj.gov.

Sincerely,

A handwritten signature in blue ink that reads "Gabriel Mahon". The signature is written in a cursive style.

Gabriel Mahon, Chief
Bureau of NJPDES Stormwater Permitting & Water Quality Management
Division of Watershed Protection and Restoration
New Jersey Department of Environmental Protection

Attachment: Maintenance Plan

cc: Richard Magee, NJCAT



FocalPoint

BIOFILTRATION SYSTEMS

Operations & Maintenance



GENERAL DESCRIPTION

The following general specifications describe the general operations and maintenance requirements for the FocalPoint® High Performance Modular Biofiltration System (HPMBS). The system utilizes physical, chemical and biological mechanisms of a soil, plant and microbe complex to remove pollutants typically found in urban stormwater runoff. The treatment system is a fully equipped, modular, constructed in place system designed to treat contaminated runoff.

Stormwater enters the HPMBS, is filtered by the High Performance Biofiltration Media and passes through to the underdrain/storage system where the treated water is detained, retained or infiltrated to sub-soils, prior to discharge to the storm sewer system of any remaining flow.

Higher flows bypass the FocalPoint® via a downstream inlet or other overflow conveyance. Maintenance is a simple, inexpensive and safe operation that does not require confined space entry, pumping or vacuum equipment, or specialized tools. Properly trained landscape personnel can effectively maintain FocalPoint® Stormwater systems by following instructions in this manual.



BASIC OPERATIONS

FocalPoint® is a modular, high performance biofiltration system that often works in tandem with other integrated management practices (IMP). Contaminated stormwater runoff enters the biofiltration bed through a conveyance swale, planter box, or directly through a curb cut or false inlet. Energy is dissipated by a rock or vegetative dissipation device and is absorbed by a 3-inch layer of aged, double shredded hardwood mulch, with fines removed, (when specified) on the surface of the biofiltration media.

As the water passes through the mulch layer, most of the larger sediment particles and heavy metals are removed through sedimentation and chemical reactions with the organic material in the mulch. Water passes through the biofiltration media where the finer particles are removed and numerous chemical reactions take place to immobilize and capture pollutants in the soil media.

The cleansed water passes into the underdrain/storage system and remaining flows are directed to a storm sewer system or other appropriate discharge point. Once the pollutants are in the soil, bacteria begin to break down and metabolize the materials and the plants begin to uptake and metabolize the pollutants. Some pollutants such as heavy metals, which are chemically bound to organic particles in the mulch, are released over time as the organic matter decomposes to release the metals to the feeder roots of the plants and the cells of the bacteria in the soil where they remain and are recycled. Other pollutants such as phosphorus are chemically bound to the soil particles and released slowly back to the plants and bacteria and used in their metabolic processes. Nitrogen goes through a variety of very complex biochemical processes where it can ultimately end up in the plant/bacteria biomass, turned to nitrogen gas or dissolves back into the water column as nitrates depending on soil temperature, pH and the availability of oxygen. The pollutants ultimately are retained in the mulch, soil and biomass with some passing out of the system into the air or back into the water.

DESIGN AND INSTALLATION

Each project presents different scopes for the use of FocalPoint® system. To ensure the safe and specified function of this stormwater BMP, Convergent Water Technologies and/or its Value Added Resellers (VAR) review each application before supply. Information and design assistance is available to the design engineer during the planning process. Correct FocalPoint® sizing is essential to optimum performance. The engineer shall submit calculations for approval by the local jurisdiction when required. The contractor and/or VAR is responsible for the correct installation of FocalPoint units as described in approved plans. A comprehensive installation manual is available at www.convergentwater.com.





MAINTENANCE

Why Maintain?

All stormwater treatment systems require maintenance for effective operation. This necessity is often incorporated in your property's permitting process as a legally binding BMP maintenance agreement. Other reasons for maintenance include:

- Avoid legal challenges from your jurisdiction's maintenance enforcement program.
- Prolong the lifespan of your FocalPoint HPMBS.
- Avoid costly repairs.
- Help reduce pollutant loads leaving your property.

Simple maintenance of the FocalPoint® is required to continue effective pollutant removal from stormwater runoff before any discharge into downstream waters. This procedure will also extend the longevity of the living biofiltration system. The unit will recycle and accumulate pollutants within the biomass, but may also be subjected to other materials entering the surface of the system. This may include trash, silt and leaves etc. which will be contained above the mulch and/or biofiltration media layer. Too much silt may inhibit the FocalPoint's® flow rate, which is a primary reason for system maintenance. Removal of accumulated silt/sediment and/or replacement of the mulch layer (when specified), is an important activity that prevents overaccumulation of such silt/sediment.

When to Maintain?

Convergent Water Technologies and/or its VAR includes a 1-year maintenance plan with each system purchased. Annual included maintenance consists of two (2) scheduled maintenance visits. Additional maintenance may be necessary depending on sediment and trash loading (by Owner or at additional cost). The start of the maintenance plan begins when the system is activated for full operation. Full operation is defined as when the site is appropriately stabilized, the unit is installed and activated (by VAR), i.e., when mulch (if specified) and plantings are added.

Activation should be avoided until the site is fully stabilized (full landscaping, grass cover, final paving and street sweeping completed). Maintenance visits are scheduled seasonally; the spring visit aims to clean up after winter loads including salts and sands. The fall visit helps the system by removing excessive leaf litter.

A first inspection to determine if maintenance is necessary should be performed at least twice annually after storm events of greater than (1) one inch total depth (subject to regional climate). Please refer to the maintenance checklist for specific conditions that indicate if maintenance is necessary.

It has been found that in regions which receive between 30-50 inches of annual rainfall, (2) two visits are generally required. Regions with less rainfall often only require (1) one visit per annum. Varying land uses can affect maintenance frequency.



Some sites may be subjected to extreme sediment or trash loads, requiring more frequent maintenance visits. This is the reason for detailed notes of maintenance actions per unit, helping the VAR/Maintenance contractor and Owner predict future maintenance frequencies, reflecting individual site conditions.

Owners must promptly notify the VAR/Maintenance contractor of any damage to the plant(s), which constitute(s) an integral part of the biofiltration technology. Owners should also advise other landscape or maintenance contractors to leave all maintenance of the HPMBS to the VAR/Maintenance contractor (i.e. no pruning or fertilizing).

EXCLUSION OF SERVICES

It is the responsibility of the owner to provide adequate irrigation when necessary to the plant(s) in the FocalPoint® system.

Clean up due to major contamination such as oils, chemicals, toxic spills, etc. will result in additional costs and are not covered under the VAR/Maintenance contractor maintenance contract. Should a major contamination event occur, the Owner must block off the outlet pipe of the FocalPoint® (where the cleaned runoff drains to, such as drop-inlet) and block off the point where water enters of the FocalPoint®. The VAR/Maintenance contractor should be informed immediately.

MAINTENANCE VISIT SUMMARY

Each maintenance visit consists of the following simple tasks (detailed instructions below).

1. Inspection of FocalPoint® and surrounding area
2. Removal of debris, trash and mulch
3. Mulch replacement
4. Plant health evaluation (including measurements) and pruning or replacement as necessary
5. Clean area around FocalPoint®
6. Complete paperwork, including date stamped photos of the tasks listed above.

MAINTENANCE TOOLS, SAFETY EQUIPMENT AND SUPPLIES

Ideal tools include: camera, bucket, shovel, broom, pruners, hoe/rake, and tape measure. Appropriate Personal Protective Equipment (PPE) should be used in accordance with local or company procedures. This may include impervious gloves where the type of trash is unknown, high visibility clothing and barricades when working in close proximity to traffic and also safety hats and shoes.



Inspection of FocalPoint® and surrounding area

Record individual unit before maintenance with photograph (numbered). Record on Maintenance Report (see example in this document) the following:

<input type="checkbox"/> Standing Water	yes no	<input type="checkbox"/> Damage to HPMB System to Overflow conveyance	yes no
<input type="checkbox"/> Is Bypass Inlet Clear?	yes no		yes no

Removal of Silt / Sediment / Clay

Dig out silt (if any) and mulch and remove trash & foreign items.

<input type="checkbox"/> Silt / Clay Found?	yes no	<input type="checkbox"/> Leaves?	yes no
<input type="checkbox"/> Cups / Bags Found?	yes no	<input type="checkbox"/> Volume of material removed _____	(volume or weight)

Removal of debris, trash and mulch

After removal of mulch and debris, measure distance from the top of the FocalPoint® engineered media soil to the flow line elevation of the adjacent overflow conveyance. If this distance is greater than that specified on the plans (typ. 6" - 12"), add FocalPoint® media (not top soil or other) to recharge to the distance specified.

Distance to media surface to flow line of overflow conveyance (inches) _____

of Buckets of Media Added _____

Mulch Replacement

Most maintenance visits require only replacement mulch (if utilized). Bags of clean, double shredded hardwood mulch are typically used for smaller biofiltration beds, however larger systems may require truck loads of mulch. For smaller projects, one cubic foot of mulch will cover four square feet of biofiltration bed, and for larger projects, one cubic yard of mulch will cover 108 square feet of biofiltration bed. Some visits may require additional FocalPoint® engineered soil media available from the VAR/Contractor.

- Add double shredded, aged hardwood mulch which has been screened to remove fines, evenly across the entire biofiltration media bed to a depth of 3".
- Clean accumulated sediment from energy dissipation system at the inlet to the FocalPoint® system to allow for entry of trash during a storm event.

Plant health evaluation and pruning or replacement as necessary

Examine the plant's health and replace if dead or dying.
Prune as necessary to encourage growth in the correct directions

<input type="checkbox"/> Height above Grate (feet) _____	<input type="checkbox"/> Health	alive dead
<input type="checkbox"/> Width at Widest point (feet) _____	<input type="checkbox"/> Damage to Plant	yes no

Clean area around FocalPoint®

- Clean area around unit and remove all refuse to be disposed of appropriately.

Complete paperwork

- Deliver Maintenance Report and photographs as appropriate.
- Some jurisdictions may require submission of maintenance reports in accordance with approvals.
- It is the responsibility of the Owner to comply with local regulations.



FocalPoint Warranty

Seller warrants goods sold hereunder against defects in materials and workmanship only, for a period of (1) year from date the Seller activates the system into service. Seller makes no other warranties, express or implied.

Seller's liability hereunder shall be conditioned upon the Buyer's installation, maintenance, and service of the goods in strict compliance with the written instructions and specifications provided by the Seller. Any deviation from Seller's instructions and specifications or any abuse or neglect shall void warranties.

In the event of any claim upon Seller's warranty, the burden shall be upon the Buyer to prove strict compliance with all instructions and specifications provided by the Seller.

Seller's liability hereunder shall be limited only to the cost or replacement of the goods. Buyer agrees that Seller shall not be liable for any consequential losses arising from the purchase, installation, and/or use of the goods.





Maintenance Checklist

Element	Problem	What To Check	Should Exist	Action
Inlet	Excessive sediment or trash accumulation	Accumulation of sediment or trash impair free flow of water into FocalPoint	Inlet free of obstructions allowing free flow into FocalPoint System	Sediments or trash should be removed
Mulch Cover	Trash and floatable debris accumulation	Excessive trash or debris accumulation.	Minimal trash or other debris on mulch cover	Trash and debris should be removed and mulch cover raked level. Ensure that bark nugget
Mulch Cover	Ponding of water on mulch cover	Ponding in unit could be indicative of clogging due to excessive fine sediment accumulation or spill of petroleum oils	Stormwater should drain freely and evenly over mulch cover.	Contact VAR for advice.
Plants	Plants not growing, or in poor condition	Soil/mulch too wet, evidence of spill. Pest infestation. Vandalism to plants.	Plants should be healthy and pest free.	Contact VAR for advice.
Plants	Plant growth excessive	Plants should be appropriate to the species and location of FocalPoint		Trim/prune plants in accordance with typical landscaping and