

RESOLUTION RE: AUTHORIZATION FOR THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS TO ADOPT A POLICY AND PROCEDURE FOR IMPROPER DISPOSAL OF WASTE INTO STORM SEWER COLLECTION SYSTEMS WITHIN COUNTY RIGHTS-OF-WAY AND LOCATED ON COUNTY PROPERTIES

WHEREAS, the County of Sussex, in compliance with the Federal Requirements for Water Quality Management and the New Jersey Municipal Stormwater Regulation Program, deems it necessary and appropriate to adopt a policy and procedure for the improper disposal of waste into storm sewers on County properties and within County rights-of-way; and

WHEREAS, the County has been granted New Jersey Pollutant Discharge Elimination System (NJPDES) R12 - Highway Agency Stormwater General Permit Number NJG0149730, which provides authorization to Sussex County for the operation and maintenance of a Municipal Separate Storm Sewer System (MS4) through which stormwater runoff can be collected and conveyed; and

WHEREAS, pursuant to the requirements contained within this Permit the County must adopt a policy and procedure to prohibit the spilling, dumping, or disposal, by Sussex County and its employees, of materials other than stormwater to the MS4, so as to protect public health, safety and welfare, and to proscribe penalties for failure to comply; and

WHEREAS, the Division of Engineering has drafted the Policy and Procedure and the same is attached hereto as Attachment A; and

WHEREAS, the Policy and Procedure within Attachment A will control the improper disposal of waste into storm sewers owned and operated by County of Sussex; and

WHEREAS, the County of Sussex, after careful review of said Attachment A on the advice of the County Engineer, finds that adopting the Policy and Procedure outlined therein is in the best interest of the County and its intent to comply with State and Federal mandates for stormwater management; and

WHEREAS, these documents materially improve the County's ability to comply with the mandates of the State and Federal Government for stormwater management.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Sussex, on the recommendation of the County Engineer, adopt the attached Policy and Procedure entitled "Procedure Governing the Improper Disposal of Waste into Storm Sewers operated by Sussex County"; and

BE IT FURTHER RESOLVED that this Resolution shall be made a part of the Sussex County Stormwater Pollution Prevention Plan as required under the NJPDES Permit R12 - Highway Agency Stormwater General Permit Number NJG0149730; and

BE IT FURTHER RESOLVED that a copy of this Resolution along with its Attachments be forwarded to the Sussex County Division of Engineering.

Certified as a true copy of a Resolution adopted by the Board of Chosen Freeholders on the 12th day of July, 2006.

Elaine A. Morgan
 Elaine A. Morgan, Clerk
 Board of Chosen Freeholders
 County of Sussex

RECORD OF VOTE						
FREEHOLDER	AYE	NAY	N.V.	ABS	MOVE	SEC
Chiusano	✓					
Oroho	✓					
Vetrano				✓		
Wirths	✓				✓	
Zellman	✓					✓

N.V.-Not Voting
 MOVE-Resolution Moved
 SEC-Resolution Seconded
 ABS-Absent

Attachment A

Administrative Procedure

Sussex County, New Jersey

Titled: Procedure Governing the Improper Disposal of Waste into Storm Sewers operated by Sussex County

1. Purpose – The County of Sussex is desirous of establishing a policy prohibiting the spilling, dumping, or disposal by the County and its employees of materials other than stormwater into the municipal separate storm sewer systems owned and operated by Sussex County to protect public health, safety and welfare.

2. Definitions – For the purpose of this policy and procedure, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use for the purpose of this policy and procedure clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include future, words used in the plural number include singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.
 - a. County Rights of Way – any public Right-of Way owned by Sussex County generally for the purpose of transportation infrastructure.
 - b. County Roadway - any roadway or other thoroughfare operated by Sussex County.
 - c. County Properties – any facility or complex owned and/or operated by Sussex County.
 - d. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Sussex County and is designed and used for collecting and conveying stormwater.
 - e. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

3. Prohibited Conduct – Sussex County and its employees are prohibited from:
 - a. Spilling, dumping, or disposing of materials other than stormwater to the municipal separate storm sewer system located within County Rights-of-way, along County Roadways, and within County Properties.
 - b. Spilling, dumping, or disposing of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system located within County Rights-of-way, County roadways, and County properties.

4. Exemptions to Prohibition, these prohibitions pertain solely to the County of Sussex and its employees conducting work related activities, these do not supersede any existing Sussex County Resolutions governing connection to MS4s owned and operated by the County of Sussex.
 - a. Waterline flushing and discharges from potable water sources.
 - b. Uncontaminated groundwater discharges (e.g. infiltration, footing drains, sump systems)
 - c. Air Conditioner condensate (excluding contact or non-contact cooling water)
 - d. Irrigation water
 - e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted streams.
 - f. Sidewalk, driveway and street wash waters.
 - g. Flows from fire fighting activities.
 - h. Flows from rinsing of the following equipment with clean water:
 - i. Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from the equipment and vehicles to the maximum extent practical using dry cleaning methods (e.g. shovels and sweeping). Recovered materials are to be returned to storage for reuse.

Rinsing of equipment in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.
5. Responsibly – Any Sussex County officer or employee observing any other individual, employed by the County or not, engaging in the improper spilling, dumping, or disposal of materials other than stormwater into any MS4 shall immediately report the incident their supervisor and the Sussex County Division of Engineering, the Division of Engineering will file a report with the NJDEP Action Hotline at 877-927-6337.
6. Penalties – Any Sussex County officer or employee, who continues to be in violation of the provisions of this policy and procedure, after being duly notified, shall be subject to removal, suspension, demotion, or other disciplinary action.