

**RESOLUTION RE:            AUTHORIZATION FOR THE SUSSEX COUNTY BOARD  
OF CHOSEN FREEHOLDERS TO ADOPT A POLICY AND  
PROCEDURE FOR ILLICIT CONNECTIONS TO STORM  
SEWERS 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, deem it necessary and appropriate to adopt a policy and procedure for the identification and elimination of illicit connections to storm sewer systems on County properties and within County rights-of-way; and

**WHEREAS**, the County has been granted a 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 illicit connection by Sussex County and its employees 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 illicit connections to storm sewers owned and operated Sussex County by Sussex County and its employees; 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; and

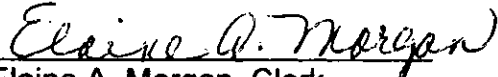
**WHEREAS**, this Resolution shall not supersede prior Resolutions, or amendment thereto, governing connection to any County Storm Sewer Collection System.

**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 Prohibiting Illicit Connections to 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 12<sup>th</sup> day of July, 2006.

  
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				✓		
Wirhs	✓				✓	
Zeliman	✓					✓

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

## Attachment A

Administrative Procedure  
Sussex County, New Jersey

Titled:

Procedure Prohibiting Illicit Connections to Storm Sewers operated by Sussex County

1. Purpose – The County of Sussex is desirous of establishing a policy prohibiting illicit connections by the County and its employees to 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.
  - f. Domestic Sewage – waste and wastewater from humans or household operations.
  - g. Illicit Connection – any physical or non-physical connection that discharges domestic sewage, non-cooling water, process water, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by Sussex County, unless that discharge is authorized under a NJPDES permit other than the Highway Agency Municipal Stormwater General Permit. Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

- h. **Industrial Waste** – non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C 1317 (a), (b), or (c)).
  - i. **NJPDES permit** – a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.
  - j. **Non-contact cooling water** – water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algaecides, or biocides to control fouling of equipment.
  - k. **Process wastewater** – any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.
- 3. **Prohibited Conduct** – Sussex County and its employees shall not discharge or cause to be discharge, through an illicit connection to the municipal separate storm sewer system located within County Rights-of-way, along County Roadways, and within County Properties, any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).
- 4. **Responsibly** – Any Sussex County officer or employee observing any illicit or potential illicit connection into any MS4 owned or operated by Sussex County shall immediately report the potential illicit connection to their supervisor and the Sussex County Division of Engineering, the Division of Engineering will investigate in accordance with the Illicit Connection Inspection Form and Procedure contained within the Sussex County Stormwater Pollution Prevention Plan and as needed file a report with the NJDEP Action Hotline at 877-927-6337.
- 5. **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.