

PLAN:

The Essex County Health Department has developed a plan in conjunction with the Essex Regional Health Commission (ERHC), Nutley Fire Department (Nutley) and the Newark Fire Department (Newark) to identify the most salient environmental issues within Essex County. The Essex County Health Department is the certified lead agency for the provision of environmental services within Essex County under the auspices of the County Environmental Health Act (CEHA). This plan has been formulated and submitted to the New Jersey Department of Environmental Protection (NJDEP) in accordance with the guidelines and requirements contained in the County Environmental Health Standards Environmental Health Standards of Administrative Procedure (NJAC 7:1H-2.1 et seq.)

COMMUNITY:

Essex County is the second most densely populated county in New Jersey, comprised of 22 municipalities. The County has a population of 798,301, which represents 9.2% of New Jersey's total population, residing within its 127 square miles, and includes 5,985 acres of parkland. The citizens of Essex County are ethnically, racially and financially diverse with a reported median family income to be \$54,818.

The housing within the County vastly differs from urban to suburban areas. The urban areas consist mainly of multi-family dwellings while the suburban areas consist of a mixture of single family dwellings and a smaller percentage of multi-family dwellings. The County has experienced a boom in construction over the past few years in both suburban and urban areas.

RESOURCES and PARTNERSHIPS:

Currently, the Essex County Health Department maintains a Health Officer, staff of two inspectors for the Solid Waste Control Program, and a secretary for administrative issues. The Essex County Health Department has entered into three Shared Services Agreements. The Essex Regional Health Commission (ECRHC) conducts air, noise, underground storage tanks (UST) and water pollution services. Nutley Fire Department (Nutley) and Newark Fire Department (Newark) conduct Emergency HazMat Response and School Chemical Inspections.

LOCAL ENVIRONMENTAL ISSUES:

As a major transportation thoroughfare, Essex County is notably impacted by mobile sources of pollution, particularly those associated with diesel powered vehicles. Clearly the evaluation and control of air pollution and Emergency HazMat Response are two of the most salient environmental issues within Essex County. While certain program areas warrant expanded activities, in general, a significant expansion cannot be conducted without the funding to provide the staff and equipment to conduct the activity.

In addition, there are many other issues too numerous to elucidate upon at length in this context that warrant no less a degree of priority. These include surface water quality, underground storage tanks, and the intentional introduction of hazardous substances to the environment in the form of pesticide use or act of terrorism.

The resolution and control of these issues can only occur by the participation of all levels of government in consort with all individuals and entities affected by or maintaining a contributory role with regard to these issues. Open and effective government is essential.

HAZARDOUS MATERIALS/EMERGENCY RESPONSE/HOMELAND SECURITY:

Threats to the environment vary in size and location. Chemical fires, explosions, leaking trucks, contaminated drinking water, and toxic fumes are just some of the situations Emergency HazMat Response regularly confronts. The critical element is time, prompt action is crucial! The strength of the Emergency HazMat Response team is its ability to mobilize experts and resources to respond to immediate, critical, hazardous substance.

Essex County hazardous materials response program has now been in effect for approximately 10 years with Nutley as the sole subcontractor for the CEHA program. In 2004 Newark also became a subcontractor for hazardous material response for the CEHA program. Nutley handles all of the low concern and emergency responses within Essex County on a daily basis. The partnership between the ECHD, Nutley and Newark has enabled Essex County to increase response capacity. Further, we have created a mass decon program comprised of 10 Essex County municipal fire departments. The decon program includes the New Jersey Department of Health decon trailer that is operated by Belleville Fire Department. Because of several grants and other initiatives available much needed emergency equipment was purchased that is utilized for low concern, environmental emergency response and terrorist attacks. Our initiatives for 2008 include our School Chemical Management Project.

AIR:

As a major transportation thoroughfare, Essex County is heavily impacted by mobile sources of pollution, particularly those associated with diesel powered vehicles which are major contributors of fine particulates (diesel exhaust from on-road vehicles such as trucks and buses and from off-road equipment such as bulldozers, excavators and loaders). Although overall, the state of New Jersey attained the newly promulgated Federal standard for 2.5micron airborne particulate matter, Essex County was listed as one of 13 of the states 21 counties considered to be PM 2.5 non-attainment areas.

Ground-level Ozone pollution is another pollutant especially of concern. Health risks are higher for populations living near roadways and in urban areas, and these two features characterize nearly all neighborhoods within Essex County. The EPA has classified diesel exhaust as likely to be carcinogenic to humans by inhalation at environmental exposures.

Ground-level Ozone exposure can cause several health effects, including irritation of the lungs, increased incidents of asthma, reduced lung function, and aggravation of chronic lung diseases. Increased ozone and smog concentrations severely affect the quality of life for susceptible populations', small children, the elderly, asthmatics and present health risks for everyone. Given the density of both the population and the number of major transportation thoroughfares (NJ TPK, NJ GSP, I80, I280, I78, Port Newark), it becomes clear that the evaluation and control of air pollution from fossil fueled motor vehicles is one of the most salient environmental issues within Essex County.

Idling school buses can pollute air in and around the bus. Exhaust from buses at idle can also enter school buildings through air intakes, doors, and open windows. Diesel bus exhaust from excessive idling is a health concern and children are more susceptible to air pollution than healthy adults because their respiratory systems are still developing and they have a faster breathing rate. By continuing in its efforts under idling enforcement, the Essex CEHA will continue to act in a tangible fashion during 2009 to abate unnecessary air contaminants (soot, fine particulates, ozone) from excessive idling of vehicles

In 1998, The Environmental Protection Agency issued a final regulation to control volatile organic compound (VOC) emissions from architectural coatings. VOCs contribute significantly to the formation of ground-level ozone, the primary constituent of smog. Architectural coatings are commonly applied by consumers and contractors, and include products such as exterior and interior paints, industrial maintenance coatings, wood and roof coatings, primers, and traffic paints. The EPA seeks to control these sources of VOC's because in the past, the Clean Air Act has focused on reducing VOC emissions from mobile sources (cars and trucks) and stationary sources, such as power plants and factories. Requiring additional controls on these sources may be very costly for the emissions reductions achieved. Regulating architectural coatings may prove to be a more cost-effective way of substantially reducing VOC emissions. EPA determined that architectural coatings are a significant source of largely unregulated VOC emissions.

Generally, Hazardous Air Pollutants (HAPs) are also a concern in Essex County. In 1998, The EPA presented county-by-county Emission Density Maps for 34 HAPs throughout the country and compared them to health benchmarks. Emission densities in Tons per square mile for 25 compounds (73%) mapped in Essex County were projected to be in the 95 percentile for the Nation. Risk estimates associated with tetrachlorethylene are particularly of interest because numerous emission sources of this compound exist in the county. As of 2005, Dry Cleaning operations throughout the county are subject to strict EPA rules for control of hazardous air pollutant emissions. The Essex CEHA inspections at these facilities ensure compliance and will continue to do so in 2009.

NOISE:

Excessive noise is, perhaps, one of the most vexing environmental stressors an individual may experience. A densely populated urban environment with its intimate interface of residential, commercial, industrial and transportation-related activities is often a noisy environment. Such an urban area undergoing a massive boom in new construction has even greater concerns. In addition to the Noise Control code regulating noise from commercial and industrial facilities, the State of New Jersey DEP has developed a Model Noise Ordinance that can be adopted by local municipalities. The Noise Control Act allows municipalities to adopt noise control ordinances that are more stringent than the State code. The prevention of excessive noise and its resolution where it exists will likely always remain an ongoing environmental issue in the urban environment that needs to be addressed with vigilance. The Essex CEHA aggressively enforces the State Noise Code, and assists local health in all efforts to adopt the Model Noise Ordinance.

PESTICIDES:

Over the last 20 to 30 years as the quality of outdoor air has improved, indoor air pollutants have become more of a concern. Research indicates that people spend as much as 90 percent of their time indoors. Because we spend so much time indoors, awareness of the potential effects of indoor air pollution on human health is vital. Pesticide use in Multi-dwelling buildings and schools can provide an important input to an individual's exposure and must be monitored closely to assure pesticide application is in strict conformance with regulations. Proper notification of pesticide application can reduce the chance of inadvertent exposure by the general public. Inspections, conducted to assure proper notification and use of pesticides by licensed and registered companies and individuals, remain a priority for the Essex CEHA.

On December 12, 2002, Governor James McGreevey signed into law the **2002 NJ School Integrated Pest Management Act**, which became effective for schools on June 12, 2004. Schools are now required to implement their individual IPM programs, to comply with this new law. The School IPM Act requires schools to establish an IPM program, which includes adopting a **Model IPM Policy** and implementing a Model IPM Plan, which is a comprehensive site-specific document, which guides a school's day-to-day activities for controlling pests. The Policy and Plan cover both the management of indoor pests such as rodents and cockroaches, as well as outdoor pests such as weeds or stinging insects.

IPM is a thoughtful, holistic approach to controlling pests that uses a wide variety of tools such as sanitation, structural modifications and other management techniques rather than automatically turning to chemical control as a first option. Pesticide use is an important tool in the pest control "toolbox" but often an effective IPM program can reduce the reliance on chemical control. In a typical program, pertinent information about a pest is combined with careful selection of suitable management techniques to eliminate the causes of pest outbreaks or to otherwise manage the pest in an economical manner that also represents the lowest possible hazard to people, property, and the environment.

Reducing the potential for pesticide exposure to children is the driving force behind the School IPM Act because children are more vulnerable to the effects of pesticides than adults. Other benefits include: Reducing student and staff exposure to pesticides; Suppressing pests that may carry allergens or disease pathogens; Reducing environmental pollution; Reducing pest damage; Reducing unnecessary pesticide applications; Minimizing emergency repairs; Improving maintenance and sanitation; Reducing waste caused by infested food products. During 2009, the Essex CEHA will continue to conduct IPM in schools inspections to assure compliance with the new requirements.

Finally, Pesticide registration is the process through which EPA examines the ingredients of a pesticide; the site or crop on which it is to be used; the amount, frequency and timing of its use; and storage and disposal practices. EPA evaluates the pesticide to ensure that it will not have unreasonable adverse effects on humans, the environment and non-target species. A pesticide cannot be legally used if it has not been registered with EPA's Office of Pesticide Programs. In 2009, the Essex CEHA will continue to participate in a campaign throughout the county to discover and control the use and/or sale of unregistered pesticides.

AMBIENT SURFACE WATER QUALITY:

Essex County, with its vast network of parks encompassing Lakes, Rivers, reservoirs, waterfalls, streams, creeks, ponds and wetlands, views its waterways as vital to the quality of life of its residents. Non-point source pollution constitutes the biggest threat to our waterways. To protect and enhance water quality, improve drinking water quality, protect aquatic life and preserve waterways for recreation such as fishing and boating, surface water must be monitored for pollution from the discharge of harmful nutrients from Publicly Owned Treatment Works (POTWs), industrial facilities, and storm water runoff, which has degraded the quality of many of our freshwater streams, lakes and rivers. Phosphorus is discharged into our waters through fertilizers, soaps and detergents, pet droppings, animal waste and septic systems, to name a few. In past years, Essex CEHA has participated in the State-wide Ambient Surface Water Quality monitoring program by conducting DEP-specified sampling. Analysis of the samples renders critical input to the design of measures to protect and improve surface water quality.

SAFE DRINKING WATER:

Communities throughout Essex County obtain drinking water from a combination of surface and sub-surface water supplies. Most drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. Sewer plants and other Industrial facilities discharge millions of gallons per day into the sources of Essex County's drinking water, contributing to unhealthy levels of contaminants linked to miscarriages, birth defects, and cancer. Key drinking water supplies serving Essex County, including the Charlottesburg and Wanaque Reservoirs and the Ramapo and Pompton Rivers, plus other major reservoirs and feeder streams in the North Jersey and Newark reservoir systems, require Category 1 protections that would help prevent water quality degradation and discourage development where it would impair or destroy natural resources and environmental quality (normally only given to trout-bearing waters).

Additionally, at least three waterways in Essex , West Branch of the Rahway River, the Second River Channel, and the Passaic River – feed into drinking water sources for other communities in the State. Strong enforcement of strong protection codes continues to be a priority in the county, as well as inspections of specific categories of drinking water wells.

UNDERGROUND STORAGE TANKS:

Underground Storage Tanks (USTs) containing gasoline and diesel fuel can rust and leak over time, impact soil and groundwater and pose a number of environmental and health risks. New Jersey requires gas station owners to take precautionary measures to insure against leaks and, in the event a tank leaks, prompt action to minimize those risks. There are approximately 407 Gas Station facilities in Essex County. These sites include marketers who sell gasoline to the public (such as service stations and convenience stores) and nonmarketers who use tanks solely for their own needs (such as fleet service operators and local governments). Due to the potential for significant environmental impact to soil and groundwater, inspection of these tank operations for full compliance with regulations cannot be understated. A high percentage of UST facilities must be reviewed each year to assure that contaminants are not leaking and posing a threat to our aquifers.

CLEAN AIR - AIR POLLUTION CONTROL:

Milestone: By 2007, air throughout the State will meet national Clean Air Act standards for ozone and other air pollutants.

Objectives: Monitor and enforce the State Air Pollution Control Code as required in the NJDEP approved CEHA work program and certification order and in accordance with the NJDEP air pollution control program's standard operating procedures, policies, and guidance documents.

Activities:

ERHC will continue to investigate all air pollution complaints received from citizens and NJDEP, included, but are not limited to, open burning, odors, particulate emissions, permits and certificates, and motor vehicle idling. Complaints referred by NJDEP will be investigated within 24 hours of receipt unless otherwise specified. ERHC will notify the appropriate NJDEP Regional Field Office of findings within 24 hours of the investigation whether or not the complaint was verified. If a complaint referral received from the NJDEP cannot be investigated within the timeframe specified, ERHC will notify NJDEP and explain. Inspectors assigned to respond to odor complaints will attend an odor enforcement training course sponsored by Rutgers University every 3 years.

ERHC will conduct inspections at delegated facilities including dry cleaners using an approved PID meter and “B” sources with a priority on those facilities with expired certificates and those not inspected in the past five years. As assigned by Minor Source Compliance Investigation (MSCI) program, ERHC verify the status of operations and/or change of address and conduct an inspection of any facility where permit renewal invoice(s) have been returned as undeliverable and/or with certificates due to expire soon.

Inspections at the following B-source facilities will be a priority in 2009: dry cleaners, schools, office buildings, apartment and government buildings, auto body shops and those small businesses having the following equipment:

- boilers < 20 million BTU/hr either natural gas or fuel oil.
- emergency generators.
- woodworking equipment
- degreasers
- waste oil burners
- surface coating equipment

Inspections of Gasoline Dispensing Facilities, Stage 1 and 2 vapor control equipment, will be conducted by inspectors in the regulated UST program.

ENFORCEMENT AND REPORTING REQUIREMENTS:

ERHC will continue to submit compliance monitoring inspection reports with violations to the NJDEP's Minor Source Section within 45 days of discovering the violations and conduct follow-up investigations as needed to ensure compliance is achieved. Other inspection reports may be submitted within 60 days of the date of inspection. All inspection reports will be submitted no later than January 16, 2010.

ERHC will notify the NJDEP Minor Source Compliance Investigations Section or the appropriate Regional Field Office of all pending enforcement actions, including settlement conferences. And will conduct these enforcement actions in accordance with NJDEP's grace period policy, penalty regulations, and other applicable enforcement policies. ERHC will initiate enforcement proceedings in a court of competent jurisdiction against violators as required by the NJDEP.

NJDEP will be notified of all penalty assessments prior to issuance to the violators, and five days prior to the convening of a settlement conference or taking court action. In addition, follow-up reports on the outcome of all settlement conferences and court actions, including the penalty assessment and compliance plan (if applicable), will be forwarded to the applicable NJDEP Regional Field Office or Minor Source Section. All settlements will include assurance that any of the violations being considered for settlement are now in compliance with all applicable rules, regulations or permits. Any on-going non-compliance issues will be addressed in the form of a Consent Agreement with the facility, which will include a schedule to comply with all regulations, rules and/or permits. Any consent agreement will include penalty provisions for the period of non-compliance and a determination of economic benefit.

ERHC will compile and maintain files and records to support NJDEP and county enforcement actions.

NOISE CONTROL:

Milestone: Control noise that unnecessarily degrades the quality of life and/or affects the health and safety of the people in Essex County.

OBJECTIVE(S): To monitor and enforce the State Noise Code as required in the NJDEP approved CEHA work program and certification order and in accordance with the NJDEP Noise Control Regulations N.J.A.C. 7:29 et seq.

PRIORITY ACTIVITIES:

ERHC will respond to all noise complaints received from citizens and NJDEP, and investigate all complaints which are under the jurisdiction of the State Noise Code. ERHC will confirm action for Department-referred complaints within five (5) days of the referral.

ERHC will compile and maintain files and records to support NJDEP and county enforcement actions.

ERHC will maintain certification from the Rutgers Noise Technical Assistance Center of at least one individual on staff in the performance of noise control investigations and maintain at least one sound level meter and associated sound measurement equipment in accordance with N.J.A.C. 7:29-2.1 et seq. The sound level meter calibration will be performed by the manufacturer or a Department-approved facility.

ERHC will initiate enforcement proceedings in a court of competent jurisdiction against violators as required by the State Noise Code and will coordinate and monitor noise complaint investigations with municipalities that have an approved Uniform Shared Services Agreement with the lead CEHA agency. ERHC will verify that only certified noise investigators using properly maintained and calibrated equipment are dispatched to investigate noise complaints.

PESTICIDES:**OBJECTIVE(S):**

To monitor and enforce the State's Pesticide Control regulations at N.J.A.C. 7:30-1 et seq. in accordance with the NJDEP Pesticide Control Program's standard operating procedures, policies, and guidance documents.

PRIORITY ACTIVITIES:

ERHC will inspect stores, apartments (multi-family housing), landscapers and/or golf courses to determine whether the owner or operator has sold, applied or caused to be applied any pesticide in compliance with N.J.A.C. 7:30-1 et seq. and where applicable, was performed by a certified and licensed pesticide applicator, a licensed operator and/or a licensed applicator business.

ERHC will inspect service vehicles, pesticide containers, pesticide service containers, storage areas, and application equipment, review notification requirements, permits, and application records while performing inspections pursuant to N.J.A.C. 7:30-1 et seq. Inspections shall be performed as per the “Standard Operating Procedures (SOP) for Performing Pesticide Control Investigations under CEHA”.

ERHC will investigate the sale of illegal pesticides sold on the street, “small grocery stores”, “Dollar Stores”, hardware stores, and/or pet stores particularly in urban areas and verify that all pesticides include an EPA registration number on the label, and that the pesticide is appropriate for general use (i.e. is not a restricted use pesticide). ERHC will immediately refer any findings of suspected illegal pesticides, along with photos and invoices, to NJDEP.

Upon request, ERHC will collect formulation and environmental samples as required per the “Standard Operating Procedures for Pesticide Sampling under CEHA”.

ERHC will respond to referrals received from NJDEP and investigate citizen complaints, including misuse, as per the SOP and refer to Jeffrey MacMullen, NJDEP, Pesticide Control Program as appropriate.

PESTICIDES ENFORCEMENT AND REPORTING REQUIREMENTS:

ERHC will submit compliance monitoring inspection reports to the NJDEP's Pesticide Control Program within 60 days of completing the inspection. Inspection reports will be submitted no later than January 16, 2010. ERHC will notify Jeffrey MacMullen of NJDEP's Pesticide Control Program at P.O. Box 411, Trenton, New Jersey 08625-0411 or sent via email at: jeffrey.macmullen@dep.state.nj.us, of pending enforcement actions, including settlement conferences, at least five days prior to taking the action and conduct enforcement actions in accordance with NJDEP's Pesticide Control Program SOPs and other applicable enforcement policies. ERHC will initiate enforcement proceedings in a court of competent jurisdiction against violators as required by the NJDEP.

The outcome of settlement conferences and court actions, including the penalty assessment and compliance plan (if applicable), will be reported to the NJDEP's Pesticide Control Program. Settlements will include assurance that the responsible party is in compliance with all applicable rules, regulations or permits or has signed a Consent Agreement to address any on-going non-compliance issues, which includes a schedule to return to compliance and penalty provisions for the period of non-compliance and a determination of economic benefit.

ERHC will compile and maintain files and records to support NJDEP and county enforcement actions.

SCHOOL INTEGRATED PEST MANAGEMENT PROJECT:

OBJECTIVE(S):

To visit representative schools in assigned school districts to determine whether the New Jersey School Integrated Pest Management (IPM) Program has been implemented in accordance with the NJDEP IPM rules and provide compliance assistance materials if requested.

PRIORITY ACTIVITIES:

ERHC will conduct school visits to determine compliance with NJDEP IPM rules by using a one-page checklist developed by NJDEP's Pesticide Control Program. NJDEP will provide instruction on which school districts to visit, and ERHC will not visit more than 2 schools in each district, unless otherwise noted. Within 30 days of completing each checklist, a copy of the checklist will be mailed to the NJDEP Pesticides Control Program, Attention: Jeffrey MacMullen., P.O. Box 411, Trenton, New Jersey 08625-0411 or sent via email to Jeff at: jeffrey.macmullen@dep.state.nj.us

Upon request, ERHC will provide school officials with the "Model School IPM Plan for New Jersey Schools," and other templates and information for IPM compliance and assistance, which can be found on the CEHAN Portal, and the State web site at: www.njipm.org.

No formal enforcement actions or penalties will be executed for this project, however, any school found to be out of compliance will receive a Notice of Violation (NOV) citing the appropriate regulation(s).

SAFE DRINKING WATER AND WATER POLLUTION CONTROL

OBJECTIVE(S):

To monitor and enforce the State statutes, rules, and regulations to protect and improve, wherever possible, the quality of drinking water, as well as ground and surface waters of the State as required in the NJDEP approved CEHA work program and certification order, and in accordance with the NJDEP standard operating procedures, policies, and guidance documents.

PRIORITY ACTIVITIES:

ERHC will conduct routine compliance inspections of public non-community water systems (PNCWS). ERHC will review the Department's Water Watch database to determine compliance with applicable sampling requirements prior to conducting each inspection. When conducting inspections of nontransient noncommunity water systems, the licensed operator will be present. ERHC will submit completed inspection reports to the NJDEP's Bureau of Safe Drinking Water within 30 days of completing the inspection.

ERHC will follow-up within the prescribed timeframe on significant non-compliers and other PNCWS referred by the NJDEP, as part of the Zero Tolerance Program and will issue field Notices of Violation to PNCWS upon identification of the violation and undertake enforcement action as required pursuant to the Zero Tolerance Policy.

ERHC will provide follow-up response to PNCWS that incur maximum contaminant level violations and verify that the PNCWS performs public notification. ERHC will verify remedial actions taken by PNCWS to return water supply to compliance.

ERHC will provide technical assistance to PNCWS regarding the requirements of the federal and State Safe Drinking Water Act Regulations.

ERHC will investigate all water pollution complaints received from citizens and NJDEP. These investigations include, but are not limited to, potable water contamination and unpermitted discharges to surface or ground water.

ERHC will investigate complaints regarding existing physical connections as received from citizens and NJDEP.

ERHC will compile and maintain files and records to support NJDEP and county enforcement actions.

REGULATED UST COUNTY INSPECTION COMPLIANCE PROJECT

SAFE & HEALTHY COMMUNITIES

Milestone: Exposure to environmental risk will be controlled and minimized.

Site Remediation Program:

OBJECTIVE:

To conduct compliance monitoring/leak detection inspections of active regulated underground storage tanks (UST) in accordance with the Cooperative Agreement executed between NJDEP and each participating CEHA agency, NJDEP training documents, and NJDEP regulations, policies and procedures.

PRIORITY ACTIVITIES:

ERHC will continue to provide one lead employee who receives funding support from the CEHA UST account who shall be knowledgeable and capable to fulfill the duties, obligations and standards found in the Cooperative Agreement (CA) and any subsequent amendments to the CA. This lead person will be the primary point of contact for NJDEP.

ERHC will inspect or investigate on behalf of NJDEP all regulated underground storage tanks (USTs) within the geographical jurisdiction of the County and initiate appropriate enforcement actions, which may include issuing NOVs, implement delivery bans and cease use actions in coordination with the Regional Field Office, and coordinate and negotiate settlement agreements with violators in consultation with NJDEP.

As assigned by NJDEP, ERHC will:

Investigate Active (i.e., not permanently closed or permanently abandoned in place) and registered UST facilities shall be investigated for compliance and will refrain from inspecting state and federal registered USTs and heating oil USTs.

Investigate UST facilities with release reporting and investigation responsibilities.

Investigate UST facilities for compliance with their approved closure plan/notification. Issue a NOV to those UST facilities that have performed tank closures but have not submitted the required Site Investigation report within 120 days of closure initiation.

Investigate facilities with unregistered USTs that are in use and/or not closed in accordance with N.J.A.C. 7:14B-9. Issue NOV and coordinate implementation of a delivery ban and/or cease use action with the Regional Field Office

Each inspection at a Gasoline Dispensing Facility will include an inspection of the Stage 1 and 2 vapor control equipment to determine compliance with the Air Pollution Control Act and its regulations, including those facilities with above ground storage tanks.

GENERAL REQUIREMENTS:

ERHC will use NJDEP approved forms for inspections and enforcement documents. During the course of each inspection, ERHC will provide compliance assistance and distribute materials provided by NJDEP to owners & operators of UST facilities. ERHC will maintain appropriate field equipment and instrumentation needed to perform UST inspections, and participate and successfully complete training sessions requested by NJDEP. ERHC will ensure that ERHC inspectors are in compliance with PEOSH requirements.

ERHC will initiate enforcement proceedings against violators as required by the NJDEP and notify the NJDEP Regional Field Office of all pending enforcement actions, including settlement conferences and will conduct these enforcement actions in accordance with NJDEP's grace period policy, penalty regulations, and other applicable enforcement policies.

ERHC inspectors will enter inspection and enforcement data onto the NJ Environmental Management System (NJEMS) within 21 calendar days from the date of each inspection. Copies of inspection reports and enforcement documents will be submitted to NJDEP within 21 calendar days from the date of inspection, and within 30 days to the owner/operator. Inspection reports will be submitted no later than January 16, 2010.

ERHC will maintain files of all inspections, investigations, correspondence, enforcement documents, phone logs, etc and provide to NJDEP upon request.

SOLID WASTE:

As New Jersey's second largest county, Essex County must continuously confront substantial issues relating to the generation, transportation and disposal of solid waste and recycling material. The Essex County Health Department (ECHD) has taken direct responsibility for implementing a solid waste control program as delineated in the Essex County Environmental Work Plan. This comprehensive solid waste/recycling program includes, but is not limited to, facility compliance inspections and enforcement of solid waste statutes, regulations and ordinances and solid waste/recycling inspections to determine compliance with the updated county solid waste management plan, and to verify that recyclable materials are not co-mingled with trash.

Participate in a pilot project to monitor and enforce the State's Solid Waste Management Act, Chapter 26H, Solid Waste Utility Regulations, N.J.A.C. 7:26H-1 et seq. All work activities shall be performed in accordance with NJDEP solid waste control program's standard operating procedures, policies and guidance documents.

RECYCLING EDUCATION AND OUTREACH:

In cooperation with the Essex County Utilities Authority the Essex County Health Department has develop proactive initiatives to provide assistance to residents and the regulated community to improve environmental health and compliance. Recycling outreach programs will be jointly conducted at schools, civic groups and other county events. In addition, recycling compliance assistance program has been developed for multi-family and commercial establishments.

COMMUNITY Right-To-Know:

Implement a compliance monitoring program for Community Right to Know (CRTK) to assist the NJDEP in improving compliance among facilities required to file annual CRTK surveys.

Conduct CRTK compliance monitoring investigations of employers within the county's geographical jurisdiction to determine whether the employer is in compliance with the Worker and Community Right to Know Act, N.J.S.A. 34:5A-1 through 31 and the rules promulgated thereunder, N.J.A.C. 7:1G.

The county will investigate only those employers identified on a list provided by the NJDEP. The list will indicate which employers have not filed CRTK surveys for a specific reporting year. The NJDEP may request the county, on a case-by-case basis, to perform investigations to determine whether a facility is in compliance.