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CAPITOL COUNTY

POLICY AND PROCEDURE No. ____ (DRAFT)

SUBJECT: Illicit Connections to Storm Sewers at County Highways

Effective Date: _____, 200_

Approved By: _____

Note: In the Highway Permit, the requirement to prohibit illicit connections is limited to MS4s at certain highways and other thoroughfares. However, a county or other Highway Agency may choose to prohibit illicit connections to all MS4s operated by the Highway Agency, including those located at county operated Public Complexes and other county operated facilities. Also, if an agency obtains both the Highway Permit and the Public Complex Permit, the agency could adopt a single policy and procedure to meet requirements in both permits.

I. Purpose

A policy and procedure to prohibit illicit connections by Capitol County to the municipal separate storm sewer system at county highways, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply. This policy and procedure does not apply to any illicit connection which emanates from an entity other than Capitol County.

II. 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 the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory. The definitions below are the same as or based on corresponding or related definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. County highway – any highway or other thoroughfare operated by Capitol County (including a maintenance facility or rest area for such a thoroughfare). For purposes of this policy and procedure, a “highway or other thoroughfare” does not include:
 - 1. Any thoroughfare confined to the grounds of one or more buildings; or
 - 2. Any thoroughfare confined to a park or recreational area operated by Capitol County.

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(Note: This draft definition omits highway service areas because Capitol County does not operate or plan to operate any highway service areas.)

- b. Domestic sewage - waste and wastewater from humans or household operations.
- c. Illicit connection – any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by Capitol County, unless that discharge is authorized under a NJPDES permit other than the Highway Agency Municipal Stormwater General Permit (NJPDES Permit Number NJ0141887). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
- d. 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)).
- e. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Capitol County or other public body, and is designed and used for collecting and conveying stormwater.

(Note: For counties or other highway agencies that operate combined sewer systems, add the following: “MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.”)
- f. 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.
- g. 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 such as heat exchangers, and/or corrosion inhibitors.
- h. 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.

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Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.

- i. 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.

III. Prohibited Conduct

Capitol County and its employees shall not discharge or cause to be discharged, through an illicit connection to the municipal separate storm sewer system located at county highways, any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

IV. Penalties

Any Capitol 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.