

NJ DEP PUBLIC COMPLEX STORMWATER REGULATIONS

POLICY

The following ordinances are necessary for the College to comply with the NJ DEP's Municipal Stormwater Regulation Program. The regulations are part of a comprehensive plan to reduce the negative impact of pollutants entering our waters from storm drainage systems owned or operated by the College.

1. ILLICIT CONNECTIONS TO THE COLLEGE'S STORM SEWERS

PURPOSE:

A regulation to prohibit illicit connections to the municipal separate storm sewer system(s) operated by Ocean County College, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply. This regulation does not apply to any illicit connection which emanates from a location outside Ocean County College property.

Definitions:

For the purpose of this regulation, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this regulation 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. Most of the definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- Domestic sewage - waste and wastewater from humans or household operations.
- 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 Ocean County College, unless that discharge is authorized under a NJPDES permit other than the Public Complex Stormwater General Permit (NJPDES Permit Number NJ0141879). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
- 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)).
- 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 Ocean County College or other public body, and is designed and used for collecting and conveying stormwater.
- *(Note: For public complexes 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.")*

- 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
- 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.
- Person – any individual (including but not limited to a College, agent, professional staff member, other employee, or student), corporation (including Ocean County College), company, partnership, firm, association, or political subdivision of this State, whose conduct on College is subject to regulation by the College.
- 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. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.
- 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.
- College - Ocean County College .
- College property – lands and buildings owned or controlled by Ocean County College.

Prohibited Conduct:

- Ocean County College and its officers, staff, agents, other employees, contractors, and students shall not discharge or cause to be discharged, through an illicit connection to the municipal separate storm sewer system operated by Ocean County College, any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

Violations:

- Any College officer, staff member, employee, or agent who is found to be in violation of this regulation shall be subject to dismissal, removal, reduction of salary, suspension, demotion, or other disciplinary action in accordance with applicable New Jersey statutes and relevant contracts or agreements.
- Any College student who is found to be in violation of this regulation shall be subject to official warning, disciplinary probation, suspension, expulsion, or other sanctions in accordance with the College’s Student Conduct Code.
- Any other person who has entered into a contract or agreement with the College to provide equipment, materials, supplies, or services on College property, and who is found to be in violation of this regulation, shall be subject to sanctions in accordance with the contract or agreement.

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- Any person who violates this regulation may also be subject to prosecution under applicable Federal or New Jersey statutes.

2. IMPROPER DISPOSAL OF WASTE INTO STORM SEWERS ON COLLEGE PROPERTY

Purpose:

A regulation to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by Ocean County College, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

Definitions:

For the purpose of this regulation, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this regulation 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.

- 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 Garden State University or other public body, and is designed and used for collecting and conveying stormwater.

(Note: For public complexes 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.”)

- Person – any individual (including but not limited to a College student; visiting faculty member or other visitor; guest; professional member of the College’s academic, administrative, or teaching staff; or other College officer, agent, or employee), corporation (including Ocean County College), company, partnership, firm, association, or political subdivision of this State whose conduct on College property is subject to regulation by the College.
- 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.
- College – Ocean County College.
- College property – lands and buildings owned or controlled by Ocean County College.

Prohibited Conduct:

- All persons are prohibited while on College property from:

- Spilling, dumping, or disposing of materials other than stormwater to the municipal separate storm sewer system operated by the College.
- 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 operated by the College.

Exceptions

- Water line flushing and discharges from potable water sources
- Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters)
- Air conditioning condensate (excluding contact and non-contact cooling water)
- Irrigation water (including landscape and lawn watering runoff)
- Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows
- Residential car washing water, and residential swimming pool discharges
- Sidewalk, driveway and street wash water
- Flows from fire fighting activities
- Flows from rinsing of the following equipment with clean water:
- 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 equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.
- Rinsing of equipment in the above situations is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

Violations:

- Any College student who continues to be in violation of this regulation, after being duly notified, shall be subject to official warning, disciplinary probation, suspension, expulsion, or other sanctions in accordance with the College's Student Conduct Code.
- Any College officer, staff member, employee, or agent who continues to be in violation of this regulation, after being duly notified, shall be subject to dismissal, removal, reduction of salary, suspension, demotion, or other disciplinary action in accordance with applicable New Jersey statutes and relevant contracts or agreements.
- Any other person who has entered into a contract or agreement with the College to provide equipment, materials, supplies, or services on College property, and who continues to be in violation of this regulation, after being duly notified, shall be subject to sanctions in accordance with the contract or agreement.
- Any visitor, guest, or other person who is not identified under V.a, V.b, or V.c above, and who continues to be in violation of this regulation, after being duly notified, is subject to ejection from College property and, if the person refuses to leave after being asked to leave, to prosecution for criminal trespass under N.J.S.A. 2C:18-3.

- Any person who violates this regulation may also be subject to prosecution under applicable New Jersey statutes.

3. WILDLIFE FEEDING CONTROL

Purpose:

A regulation to prohibit the feeding of unconfined wildlife at Ocean County College, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

Definitions:

For the purpose of this regulation, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this regulation 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.

- Feed – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.
- Person – any individual (including but not limited to a College student; visiting faculty member or other visitor; guest; professional member of the College's academic, administrative, or teaching staff; or other College officer, agent, or employee), corporation, company, partnership, firm, association, or political subdivision of this State whose conduct on College property is subject to regulation by the College.
- College – Ocean County College.
- College property – Lands and buildings owned or controlled by Ocean County College.
- Wildlife – all animals that are neither human nor domesticated.

Prohibited Conduct:

- No person shall feed any unconfined wildlife on College property, except as part of academic research.

Violations:

- Any College student who is found to be in violation of this regulation shall be subject to official warning, disciplinary probation, suspension, expulsion, or other sanctions in accordance with the College's Student Conduct Code.
- Any College officer, staff member, employee, or agent who is found to be in violation of this regulation shall be subject to dismissal, removal, reduction of salary, suspension, demotion, or other disciplinary action in accordance with applicable New Jersey statutes and relevant contracts or agreements.
- Any other person who has entered into a contract or agreement with the College to provide equipment, materials, supplies, or services on College property, and who is found to be in

violation of this regulation, shall be subject to sanctions in accordance with the contract or agreement.

- Any visitor, guest, or other person who is not identified under IV.a, IV.b, or IV.c above, and who is found to be in violation of this regulation, is subject to ejection from College property and, if the person refuses to leave after being asked to leave, to prosecution for criminal trespass under N.J.S.A. 2C:18-3.

4. LITTER CONTROL

Purpose:

A regulation to prohibit littering at Ocean County College, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

Definitions:

For the purpose of this regulation, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this regulation 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.

- Litter - any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.
- Litter Receptacle – a container suitable for the depositing of litter.
- Person – any individual (including but not limited to a College student; visiting faculty member or other visitor; guest; professional member of the College's academic, administrative, or teaching staff; or other College officer, agent, or employee), corporation, company, partnership, firm, association, or political subdivision of this State whose conduct on College property is subject to regulation by the College.
- College – Ocean County College.
- College property – Lands and buildings owned or controlled by Ocean County College.

Prohibited Conduct

- No person shall throw, drop, discard or otherwise place any litter of any nature upon College property other than in a litter receptacle, or having done so to allow such litter to remain.

- Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this regulation, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this regulation.

Violations:

- Any College student who is found to be in violation of this regulation shall be subject to official warning, disciplinary probation, suspension, expulsion, or other sanctions in accordance with the College's Student Conduct Code.
- Any College officer, staff member, employee, or agent who is found to be in violation of this regulation shall be subject to dismissal, removal, reduction of salary, suspension, demotion, or other disciplinary action in accordance with applicable New Jersey statutes and relevant contracts or agreements.
- Any other person who has entered into a contract or agreement with the College to provide equipment, materials, supplies, or services on College property, and who is found to be in violation of this regulation, shall be subject to sanctions in accordance with the contract or agreement.
- Any visitor, guest, or other person who is not identified under IV.a, IV.b, or IV.c above, and who is found to be in violation of this regulation, is subject to ejection from College property and, if the person refuses to leave after being asked to leave, to prosecution for criminal trespass under N.J.S.A. 2C:18-3.
- Any person who throws, drops, discards or otherwise places any litter of any nature upon College property other than in a litter receptacle is also subject to prosecution under applicable New Jersey statutes.

5. Pet Waste Control

Purpose:

A regulation to establish requirements for the proper disposal of pet solid waste at Ocean County College, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

Definitions:

For the purpose of this regulation, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this regulation 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.

- Immediate – shall mean that the pet solid waste is removed at once, without delay.
- Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- Person – any individual (including but not limited to a College student; visiting faculty member or other visitor; guest; professional member of the College's academic,

administrative, or teaching staff; or other College officer, agent, or employee), corporation, company, partnership, firm, association, or political subdivision of this State whose conduct on College property is subject to regulation by the College.

- Pet – a domesticated animal kept for amusement or companionship rather than utility.
- Pet solid waste – waste matter expelled from the bowels of the pet; excrement.
- Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the College or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.
- College – Ocean County College.
- College property – Lands and buildings owned or controlled by Ocean County College.

Requirement for Disposal:

- All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on College property.

Exemptions:

- Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this regulation while such animal is being used for that purpose.

Violations:

- Any College student who is found to be in violation of this regulation shall be subject to official warning, disciplinary probation, suspension, expulsion, or other sanctions in accordance with the College's Student Conduct Code.
- Any College officer, staff member, employee, or agent who is found to be in violation of this regulation shall be subject to dismissal, removal, reduction of salary, suspension, demotion, or other disciplinary action in accordance with applicable New Jersey statutes and relevant contracts or agreements.
- Any other person who has entered into a contract or agreement with the College to provide equipment, materials, supplies, or services on College property, and who is found to be in violation of this regulation, shall be subject to sanctions in accordance with the contract or agreement.
- Any visitor, guest, or other person who is not identified under V.a, V.b, or V.c above, and who is found to be in violation of this regulation, is subject to ejection from College property and, if the person refuses to leave after being asked to leave, to prosecution for criminal trespass under N.J.S.A. 2C:18-3.

ADOPTED: September 25,2006