



# MONTCLAIR STATE UNIVERSITY

**Subject:** Improper Disposal of Waste into Storm Sewers on University Property

**Last update:** 3-18-2021

**Effective Date:** November, 2005

**Approved by:** \_\_\_\_\_

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## **I. 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 Montclair State University, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

## **II. 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.

- a. 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, storm drains, or other impervious surface) that is owned or operated by Montclair State University or other public body, and is designed and used for collecting and conveying stormwater. 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.
- b. Person - any individual (including but not limited to a University student; visiting faculty member or other visitor; guest; professional member of the University's academic, administrative, or teaching staff; or other University officer, agent, or employee), corporation (including Montclair State University), company, partnership, firm, association, or political subdivision of this State whose conduct on University property is subject to regulation by the University.
- c. 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.

- d. University- Montclair State University.
- e. University property- lands and buildings owned or controlled by Montclair State University

### **III. Prohibited Conduct:**

All persons are prohibited while on University property from:

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

### **IV. Exceptions**

- a. Water line flushing and discharges from potable water sources.
- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters).
- c. Air conditioning condensate (excluding contact and non-contact cooling water).
- d. Irrigation water (including landscape and lawn watering runoff).
- e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows.
- f. Sidewalk, driveway and street wash water.
- g. Flows from firefighting activities
- h. Flows from rinsing of the following equipment with clean water:
  - 1. Beach maintenance equipment immediately following their use for their intended purposes; and
  - 2. 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.

**V. Violations:**

- a. Any University student who continues to be in violation of this regulation, after being duly notified, shall be subject to disciplinary action in accordance with the University's Code of Student Conduct.
- b. Any University 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.
- c. Any other person who has entered into a contract or agreement with the University to provide equipment, materials, supplies, or services on University 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.
- d. 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 University 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.
- e. Any person who violates this regulation may also be subject to prosecution under applicable New Jersey statutes.