

MERCER COUNTY



ENVIRONMENTAL HEALTH ASSESSMENT AND IMPROVEMENT PLAN

2011

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Purpose and Authority

The Mercer County Environmental Health Assessment and Improvement Plan has been developed by the Mercer County Division of Public Health (MCDPH) CEHA Agency to identify the most salient environmental issues within Mercer County and to propose a plan to address these issues for calendar year 2012. The MCDPH-CEHA Agency is a county environmental health program that derives authority pursuant to New Jersey Statutes Annotated NJSA 26:3A2-21 *et seq.* and is the certified county agency for the provision of environmental health services within Mercer County under the auspices of the County Environmental Health Act (CEHA).

In 2004 the Mercer County Executive, Board of Chosen Freeholders, and the Clerk to the Board authorized the CEHA Program, which currently includes: community education, HAZMAT and CBRNE Emergency Response, enforcement of Air, Noise, Water, Solid Waste, School Chemical Waste Management, Right to Know, and Pesticides programs. Through inter-local agreement collaboration, the MCDPH-CEHA Agency, three (3) local HAZMAT teams and the Mercer County Improvement Authority, environmental health services are provided to the residents of Mercer County. In 2011 the MCDPH-CEHA Agency adopted Ordinance 2011-1 that requires Mercer County Emergency Response Cost Recovery Ordinance to establish standard procedures and provisions to recover the cost of responses to hazardous materials, emergency spills, and situations resulting from unpermitted discharge of hazardous waste from the responsible party in accordance with the County Environmental Health Program, pursuant to N.J.S.A. 26:3A2-21 et seq., as per Ordinance No. 2005-1 adopted March 10, 2005.

Community Background

Mercer County is located in central New Jersey, between New York City and Philadelphia. It is comprised of 225 square miles with 13 municipalities that range from rural countryside to urban neighborhoods. In 2010, the U.S. Census Bureau reported Mercer County to have a population of 366,513. Between 2000 and 2010, Mercer County experienced a population increase of 4.5%, a rate consistent with the State of New Jersey as a whole. With a population density of 1,632.2 persons per square mile, Mercer County exhibits a higher population density than that of New Jersey's average of 1,195.5 persons per square miles. Between 2000 and 2009, Mercer County had a successful 1.9% growth in private non-farm employment, surpassing the state average of -3.0%. Median Mercer County household income in 2009 was \$70,570, an average higher than the state median of \$68,444. However, this higher median household income is offset by a higher poverty rate of 10.8%, as compared with the state average of 9.4%.

Mercer County is linked to other major cities and business hubs through its extensive transportation infrastructure. Commuter rail service, light rail service, the Trenton-Mercer Airport, Interstates 95, 195 and 295, as well as Highway Routes 1, 29, 31 and 130, make Mercer County extremely attractive to residents and some world-renowned businesses including pharmaceutical, research and health sciences industries. Mercer County is also home to Princeton University, Rider University, The College of New Jersey, Thomas Edison State College and Mercer County Community College, representing a diverse academic culture. The county is also home to several of New Jersey's Revolutionary War historical sites in addition to several recreational locations including four public golf courses, the Trenton Devils professional hockey team, the Trenton Thunder baseball team at Waterfront Park, the Sun National Bank Arena, several shopping malls, movie theaters and many parks. With its diversity of residential

choices, educational facilities, employment opportunities, entertainment choices, historical and scenic areas, Mercer County is an extremely desirable place to live, work and visit.



Personnel and Equipment

MCDPH Staffing

The Mercer County Division of Public Health staff includes one Health Officer, one CEHA Coordinator/Senior Registered Environmental Health Specialist (REHS), one Registered Environmental Health Specialist (REHS), four LINC staff members, one full-time and one part-time secretary. The Mercer County Division of Public Health (via Interlocal Service Agreements) has the support of the three County HAZMAT teams (Hamilton, City of Trenton, West Windsor) and Mercer County Improvement Authority (MCIA) Solid Waste and Recycling employees. Additional support has been established through a collaborative professional network with Local Health Departments (LHD) within Mercer County. The LHD Registered Environmental Health Specialists have an ongoing referral system in place to achieve compliance assistance for various environmental health-related issues that impact the Mercer County community. These issues include, but are not limited to, indoor/outdoor air quality, solid waste, IPM/ Pesticide Services, Water Quality, Noise and Emergency Preparedness Services.

CEHA Equipment

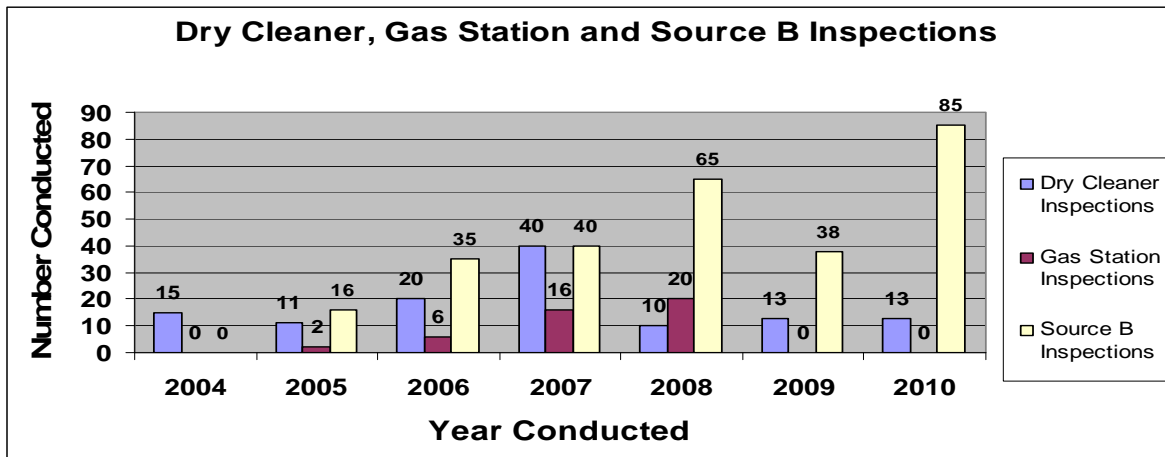
Mercer County CEHA currently maintains and updates a variety of field equipment necessary to conduct annual and complaint-based compliance and enforcement inspections. MCDPH-CEHA Agency conducts field inspections, investigations and 24/7 emergency responses with two Hybrid Ford Escape vehicles equipped with personal protective equipment. Air monitoring equipment includes wind monitoring equipment for Air Program Investigation. Additional field equipment includes two PID (percethlyne indicator detector) Units as required by NJDEP for enforcement of leaking Perc Dry Cleaning Machines. CEHA also utilizes two BlackBerry cell phones, two Canon digital cameras with video recording capabilities, two tablet notebooks and two GPS units to increase timeliness and efficiency of CEHA field inspections. Mercer County CEHA has one Quest Technology Type 2 noise meter to perform noise investigations as needed in all 13 municipalities, as per NJDEP. Mercer County Planning Office provides technical support through its mapping and geocoding GIS equipment to electronically update all Mercer County dry cleaners using percetholyne, Mercer County PNC water systems, Mercer County closed landfills, and schools that participated in the School Lab Chemical Compliance Project. In 2012 CEHA plans to decrease paper filing by purchasing a bulk scanner to achieve high-efficiency paperless record-keeping systems.

Environmental Issues and Program Goals

Clean Air Program

A priority of the program in 2012 is that air throughout Mercer County, in accordance with the State, will meet national Clean Air standards for ozone and other pollutants. MCDPH-CEHA Agency will continue to administer an Air Pollution Control Program pursuant to authority delegated by the commissioner of NJDEP under the County Environmental Health Act (CEHA).

The MCDPH-CEHA Agency will continue to investigate all air pollution complaints received from citizens and NJDEP. These investigations will include, but are not limited to, open burning, odors, particulates, idling diesel vehicles, air permits and certificates. The MCDPH-CEHA Agency will continue to perform over 80 annual inspections of delegated minor and B source facilities for compliance with the New Jersey Air Pollution Control Code, and to enforce state laws and/or regulations. The MCDPH-CEHA Agency will continue to focus on the completion of annual routine compliance monitoring and enforcement inspections for dry cleaners, source B boilers, emergency generators, paint shops and statewide diesel-vehicle idling sweeps, and complaints as delegated by NJDEP.



Outdoor Wood boiler



Source B – Natural Gas Boiler (Heat rating input =1 million Btu's/Hr.)

Clean Drinking Water Program

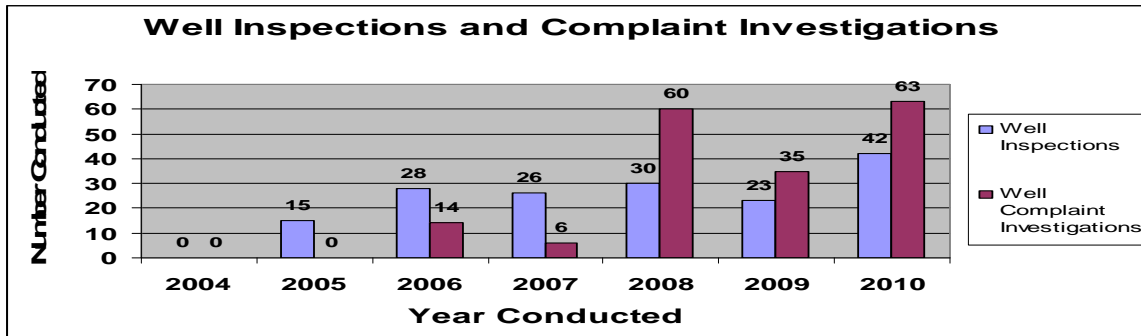
Drinking water within the county is derived from private and public water distribution companies, or private and public wells. Communities that are located in the more rural areas of the county are often dependent on wells for their drinking water source. The MCDPH-CEHA Agency is responsible for any public non-community (PNC) water sources located within the county. Drinking-water wells that serve 25 or more persons for at least 60 days per calendar year are classified by the NJDEP as PNC systems. PNC systems are required to conduct various levels of water quality analysis each year to ensure the quality and quantity of their drinking-water supply.

Since 2006, the MCDPH-CEHA Agency has conducted routine inspections for PNC sources. In 2010, Mercer County completed more than 40 routine inspections, exceeding the initially assigned amount. In general, facilities were in compliance with the State Safe Drinking Water Act regulations. In the event that a system does not test for required perimeters, or the maximum contaminant levels (MCLS) are exceeded, Mercer County takes immediate action to ascertain the severity of the violation. When standards are not met, the primary goal of the County is to bring the system back into compliance, ensuring the safety of the potable water source. Mercer County then will review all non-compliant issues, enforce violations and issue appropriate penalties with approval from NJDEP. In 2010, more than 50 MCL violations had been investigated by the county.

Recently, several inspections were the result of events occurring at existing facilities that were not previously registered as PNCs. Mercer County continues to diligently work with all local health departments to identify, locate and bring into compliance all previously existing and unregistered PNCs. In addition, municipal health departments, as part of their Certificate of Occupancy procedures, are now notifying the county each time they receive a request to install, modify or change usage of any public well-water system. Mercer County will continue to coordinate efforts with the local municipalities to establish a county-wide well-water database.

The County is also moving forward to further ensure surface water quality. Currently the MCDPH-CEHA Agency investigates all surface water complaints that are referred to them by the NJDEP Incident Hotline. Complaints that are received directly from residents or local municipalities are rerouted to the NJDEP hotline so that they may be logged in and follow appropriate procedures.

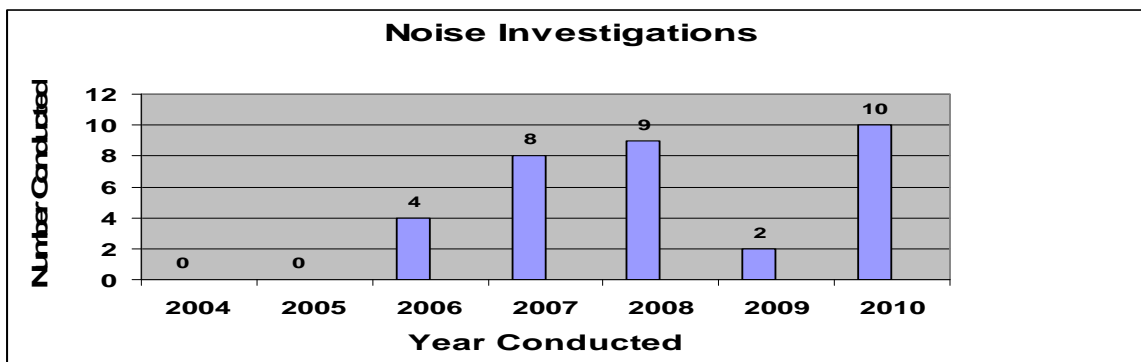
Investigations in the past have led to a greater understanding of surface water concerns within the county. Recent flooding events have prompted the county to revisit some of the existing storm water runoff and septic management plans to further ensure the quality and quantity of safe surface water sources.



Noise Control Program

Excessive noise is a concern for Mercer County residents. To address this concern the MCDPH-CEHA Agency investigates and enforces all noise complaints received by the department in accordance with the State Model Noise Code (N.J.A.C. 7:29). Complaints come from residents directly, as referrals from the local municipalities or through the NJDEP Incident Hotline. Complaints are first validated with the complainant to establish the nature of the concern. If the complaint falls under the responsibility of the MCDPH-CEHA Agency, the agency then establishes an appropriate date and time to conduct an investigation. Investigations may be conducted during the work day, during late evening, and over the weekend to ensure that the most egregious level is captured and recorded.

In 2010 Mercer County conducted 10 noise complaint investigations; each one created the opportunity to further develop relationships with the community and local municipal stakeholders. Citizen calls received by the county that consisted of residential-to-residential noise concerns were able to be effectively referred back to their originating municipality. In 2010, Mercer County worked with the Hamilton Health Department to establish a Noise Ordinance that was successfully reviewed and approved by the NJDEP. The MCDPH-CEHA Agency continues to certify two noise control officers and maintain a newly purchased and calibrated noise meter. Training and education for the county agency, local municipalities and residents continues to be integral in controlling unwanted and non-compliant noise sources.



Community Health and Safety Outreach Program

In 2011, the MCDPH-CEHA Agency started its first year with the Pesticide Control Pilot Program. This inspection based program provides outreach and education within the community on compliant usage, storage and record maintenance of licensed pesticide products. Current program activities in 2011 focus on schools, commercial landscapers and bedbugs. Inspections focus on pre-selected facilities, random observations, and can be complaint driven. Enforcement of regulations under the NJDEP Pesticide Control Program, N.J.A.C. 7:30-1 et seq., may result in required facility compliance assistance, program violations, and/or potential penalties. Environmental health education is the main role of this program however the MCDPH-CEHA Agency will enforce all regulations needed to bring facilities into compliance and to ensure a safe and healthy environment for all residents.

The MCDPH-CEHA Agency will continue to participate in NJDEP Community Right to Know (CRTK) Pilot Project to assist the NJDEP in improving compliance among facilities required to file annual CRTK surveys. In 2011 the MCDPH-CEHA Agency investigated 56 employers identified on a list provided by the NJDEP. The list indicates which employers did not file CRTK surveys for a specific reporting year. The MCDPH-CEHA Agency will continue to issue Notices of Violations (NOV's) to non-compliant facilities and issue penalties in accordance with New Jersey Workers and Community Right to Know Act (N.J.S.A.34:5A-1 et seq.), and the New Jersey Worker and Community Right to Know Regulations (N.J.A.C. 7:1G et seq.). The MCDPH-CEHA Agency will continue monitoring CRTK compliance for mandatory submittal of electronic reports as per NJDEP Office of Pollution Prevention and Right to Know.

Solid Waste Program

The Solid Waste Program achieves and maintains the safe management of waste in an environmentally sound manner, ensuring exposure to environmental risks are controlled and minimized. Solid Waste activities include investigation of all solid waste complaints received from citizens, local health departments, commercial businesses and the NJDEP.

Consistency with the NJDEP Solid Waste Standard Operating Procedure (SOP) is a priority for Mercer County's Solid Waste Program. Attaining uniform enforcement between the State and County, between counties and between solid waste programs will be a goal of CEHA solid waste initiatives. The MCIA has been selected to continue to manage the County Solid Waste Program, with the guidance and assistance of MCDPH-CEHA Agency staff.

MCIA will conduct routine compliance monitoring inspections of Solid Waste Facilities (Class A, Transfer Stations, and Compost) as deemed necessary by the NJDEP, continue to update the list of these sites and provide them to the NJDEP Solid Waste Program.

MCIA will continue to monitor and investigate Solid Waste Haulers and enforce all applicable solid waste rules, regulations and programs to the fullest extent permitted by law while utilizing the enhanced enforcement authority, capabilities, and penalties provided by the County Health Office, CEHA work plan and CEHA statutory authority.

Responding to citizen complaints will become a core component of the CEHA objective. To achieve this, the MCIA will conduct any and all necessary appropriate training for all applicable staff,

employees and agents of MCIA regarding CEHA solid waste enforcement requirements, methods and plans.

MCIA currently manages a countywide curbside recycling program for all county residents. To further promote recycling, the MCIA will initiate inspections and conduct thorough surveys of all relevant Mercer County businesses and schools pursuant to the CEHA work plan, which will ensure compliance by these entities with all applicable state and to federal laws. This initiative is meant to ensure a decrease and discouragement of illegal dumping, and promote reusing, recycling and reduction of solid waste materials in Mercer County.

MCIA is also responsible for implementing a countywide Household Chemical and Electronic Waste Program. In the past there were two events per year; due to high demand MCIA has increased Household Chemical and Electronic Waste Days to three events per year and added two additional Electronic Waste (“E-Waste”) events. MCIA will again conduct five events in 2012. In conjunction with the CEHA School Chemical Compliance Management Program, an alternative drop-off day has been added for participating high schools on the Friday before each scheduled Household Chemical Waste Day.



MCIA will continue inspections and investigations of Solid Waste Disposal Facilities, Recycling Facilities, Compost Sites, Resource Recovery Facilities, Landfills, Farmland Mulch Sites and Inter-modal Facilities pursuant to the CEHA work plan to ensure compliance by these entities with all applicable state and federal laws.

MCIA will continue to conduct Solid Waste Flow inspections and investigations of all appropriate entities to ensure compliance and enforcement. MCIA will continue to apply state and federal laws with the assistance of CEHA statutory authority to enforce NJDEP regulations for solid waste control. Both MCIA and MCDPH-CEHA Agency Investigators will conduct annual compliance and enforcement inspection at the MCIA Transfer Station. In 2010 the MCDPH-CEHA Agency was involved in a new Solid Waste Project and CEHA investigators completed annual compliance monitoring inspections for four Asphalt Millings Facilities in Mercer County.

Asphalt Milling Facility



MCIA will continue to bring enforcement actions against Solid Waste Haulers in a court of competent jurisdiction, including but not limited to, any of the municipal courts within Mercer County. The purpose of the enforcement action is to maintain compliance with all applicable state and federal laws, the MCIA solid waste franchise and the Mercer County District Solid Waste Management Plan. It will obtain all appropriate penalties against said haulers while utilizing the enhanced enforcement authority, capabilities and penalties provided by the Mercer County Office of Environmental Health, CEHA work plan and CEHA statutory authority. MCIA shall use any and all fine and penalty monies collected to enhance the solid waste investigation, inspection and enforcement programs and to ensure that funds are available for, among other things, the purchase of equipment to facilitate these solid waste programs.

MCIA will continue to deter, decrease and cease Solid Waste Haulers from diverting waste from the Mercer County Solid Waste Flow System by entering into aggressive settlement agreements whereby all applicable penalties are paid and future compliance with all applicable laws, the MCIA solid waste franchise and the Mercer County District Solid Waste Management Plan is obtained.

MCIA will continue to conduct interviews of solid waste transporters referred by NJDEP or other counties and share needed information with said entities.

HAZMAT/Emergency Response

HAZMAT/Emergency Response in Mercer County will aid in minimizing unacceptable human health and ecological risks due to direct exposure from hazardous substances and other potentially harmful agents. Natural resources will be managed to protect the public from floods, fires and storms. Reduction in the frequency and impact of serious hazardous material incidents occurring within Mercer County will occur by improving the response capabilities, training, knowledge and cooperation with industry.

The MCDPH-CEHA Agency (via the three local HAZMAT teams) will continue to respond to all hazardous material emergencies referred by citizens, local authorities and NJDEP. HAZMAT responded to over 656 calls for service in 13 municipalities with calls ranging from fluid spills on the roadway to suspected biological agents. HAZMAT currently has just over 100 responders trained by the New Jersey State Police to the Technician level. The Trenton team is comprised of full-time firefighters on duty 24 hours a day, seven days a week, and at any given time, 10 to 15 HAZMAT technicians are on duty. The West Windsor and Hamilton teams are made up of police and fire personnel; some have on-duty staffing levels that fluctuate daily while others are on call-back status. Although the teams have primary first-response areas in the county, all three teams cross boundaries and support each other routinely.

HAZMAT response teams will continue to assess environmental health threats and provide sampling of the environment at the site of a hazardous materials incident/emergency during the period of the emergency only. HAZMAT response teams, in the event of a BT/HAZMAT incident, will respond to the threat, which might eventually lead to violations of Air, Water, Solid Waste and/or Noise program. The Lead Agency, in coordination with the appropriate NJDEP office, will be responsible for the prevention, mitigation and remediation of the exposed area after an incident has occurred. HAZMAT response teams have upgraded their equipment inventory through NJDEP grant funds. Meters and WMD detection equipment purchased with the 00-01 Domestic Preparedness Grant will continue to be maintained with required calibration and software upgrades. HAZMAT response teams will continue to participate with OEM, local health departments, and the MCDPH-CEHA Agency in tabletop exercises for natural disasters, BT incidents and health outbreaks. HAZMAT response teams will continue to maintain a core of trained and equipped personnel who are capable of responding to hazardous materials incidents.

Open and Effective Government Partnerships

The MCDPH-CEHA Agency will fulfill its vision and mission and achieve its goals through the involvement of citizens and stakeholders as critical partners and through the commitment to quality principles and methods as a means to continuous improvement of its operations. The MCDPH-CEHA Agency works in cooperation with New Jersey Department of Environmental Protection (NJDEP), New Jersey Department of Health and Senior Services (NJDHSS), local health departments, three county HAZMAT Teams and four county agencies: Planning, Office of Emergency Management (OEM), Mercer County Improvement Authority (MCIA) and the Department of Transportation and Infrastructure.

The MCDPH-CEHA Agency will continue to improve the coordination of environmental health services vital to the health of all residents of Mercer County. The MCDPH-CEHA Agency will continue to encourage and develop strategic partnerships with the following organizations: local, state and federal agencies, nonprofit organizations, environmental commissions, the public and the business community to address environmental issues and concerns. The MCDPH-CEHA Agency will continue to provide education and outreach as well as environmental data to community groups and interested stakeholders.

The MCDPH-CEHA Agency will continue to provide assistance and information to individuals, citizen groups, and the community at large. In conjunction with Mercer County Sheriff's Office, the MCDPH-CEHA Agency will continue to disseminate information about "Operation Take Back," a program intended to educate the community about safe disposal of medicines that are commonly abused, including expired, unused prescription and non-prescription medicine.

The MCDPH-CEHA Agency will continue to respond promptly and efficiently to complaints and will continue to provide environmental health information to the public, in accordance with all New Jersey Open Public Records Act (OPRA) P.L. 2011, CHAPTER 404 N.J.S.A 47:1A-1 et seq.

The MCDPH-CEHA Agency will continue to maintain surveys and records in a central file as the County Lead Agency for New Jersey Department of Health and Senior Services (NJDHSS) Right to

Know Program (RTK). In accordance with provisions of The Worker and Community Right to Know Act (N.J.S.A. 34:5A-section 12) and The Worker and Community Right to Know Act Rules (N.J.A.C. 8:59-section 7.2), the following documents are now available at www.nj.gov/health/rtkweb: Right to Know Hazardous Substance List and Right to Know Hazardous Substance Fact Sheets. The MCDPH-CEHA Agency will continue to work with NJDHSS to enforce, codes, rules, and regulations relating to compliance among facilities required to file RTK Surveys. The MCDPH-CEHA Agency will continue to provide RTK trainings, outreach visits, telephone interactions and distribute educational RTK materials

The Mercer County Division of Public Health CEHA Agency will continue to work with the Geographic Information System (GIS) team to further develop its Internet accessible database program. The county is continuing to identify additional stakeholders at the state, county and local levels. Data will be collected through a variety of means such as county-derived information, field inspections and shared informational systems from state and municipal sources. In 2011, Mercer County will be starting to coordinate its countywide septic system management plan. Information for this project will be collected from each municipality. The GIS team will compile, reformat and repopulate the information within the GIS database. Creating a database that is developed by its users, contains uniform information and is easily accessible can help to successfully deliver a valuable user-friendly system. Future datasets are proposed to include private and public wells, public sewer lines and potable water lines.

MCDPH Local Information Network & Communication System (LINCS) and Community Health Alert & Information Network (CHAIN) Program will continue to insure that the public is advised, updated and made aware of any trainings, risks or emergencies within Mercer County. The MCDPH-CEHA Agency staff will continue to work with the LINCS staff in strengthening the links to critical community health organizations and the public within Mercer County. The MCDPH-CEHA Agency will continue to participate in education and training opportunities that are provided by LINCS. These learning opportunities may be offered via distance learning, satellite and web-based technologies. Continuous upgrading of skills will allow staff to be better prepared for possible bio-terrorism and other public health threats. The MCDPH-CEHA Agency in cooperation with LINCS will use the CHAIN network to disseminate information in a timely and coordinated manner. Alerts may be issued to staff, community partners, and the county's residents on a variety of topics such as public health alerts, emergency events, trainings and volunteer opportunities.

MCDPH will continue to respond to community complaints as to improve, identify and reduce the risk associated with environmental health hazards. Annual continuing education training and mandatory NJDEP compliance and enforcement training enhance our staff's professional competency. Expanding professional networks will remain a priority. Collaboration with Local Health Departments (LHD) will be maintained through engaging in professional public health forums, such as quarterly meetings with LHD Registered Environmental Health Specialists and the New Jersey Environmental Health Association. Additional statewide professional networking empowers our ability to support current environmental health issues that impact neighboring County CEHA agencies, including Burlington County, Hunterdon County, Middlesex County, Somerset County and Bucks County (PA). Progressive strides to enhance the existing CEHA programs empower MCDPH to maintain a healthier environment throughout Mercer County and the State of New Jersey.