



Legislation Text

File #: 20-1150, Version: 1

Dept/ Agency: Offices of the Municipal Council/City Clerk

Action: () Ratifying (X) Authorizing () Amending

Type of Service: Supporting a Call for Governmental Action

Purpose: Calling on the Governor and the Congressional Delegation from New Jersey, to provide economic relief for the implementation of the United States Department Environmental Protection Agency (USEPA) and New Jersey Department of Environmental Protection Agency (NJDEP), mandated "Long Term Control Plan" for Combined Sewer Overflows.

Additional Information:

WHEREAS, the City of Newark (the "City") is a "Combined Sewer Overflow" ("CSO") municipality; and

WHEREAS, all CSO Municipalities are authorized to use CSOs by the United States Environmental Protection Agency ("USEPA") pursuant to its National Pollutant Discharge Elimination System permitting program; and

WHEREAS, it is the national policy of USEPA and the state policy of the New Jersey Department of Environmental Protection ("NJDEP") to reduce and/or completely eliminate the volume of wastewater that flows out of CSOs and into local waterbodies without any treatment; and

WHEREAS, in accordance with its national CSO policy, USEPA has required all permitted entities to create "long term control plans," pursuant to which each permitted entity must identify all actions that the entity will implement to achieve the goals and level of CSO control that USEPA sets forth in its national CSO policy; and

WHEREAS, New Jersey is the last state in the United States to develop long term control plans in accordance with USEPA's national CSO policy; and

WHEREAS, long term control plans most frequently require the completion of massive public infrastructure projects that are highly technically complex, take many years or even decades to develop and implement, and place severe economic burdens on the residents who live in the areas where implementation takes place; and

WHEREAS, in 2015, the NJDEP required all New Jersey CSO Municipalities to develop a CSO Long Term Control Plan ("LTCP") in order to comply with USEPA's national CSO policy, which must be submitted to USEPA and NJDEP for approval on June 1, 2020; and

WHEREAS, according to USEPA, "Environmental Justice" means "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations and

policies”; and

WHEREAS, according to the USEPA, “Fair Treatment” means “no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies”; and

WHEREAS, the cost of the LTCP will place a severe economic burden on the residents of our Municipality as well as the other CSO Municipalities; and

WHEREAS, the cost regionally could be in excess of Two Billion Dollars (\$2,000,000,000); and

WHEREAS, it is clear that the severe economic burden that the LTCPs will place on the Municipalities’ residents in no way comports with USEPA’s definitions of “Environmental Justice” or “Fair Treatment”; and

WHEREAS, economic relief from the federal government is necessary for implementation and completion of the LTCPs.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Municipal Council, calls on the Governor, as well as the members of the Congressional Delegation, of the State of New Jersey, to provide economic relief for the purpose of facilitating the implementation and construction of a Long Term Control Plan (LTCP) for the control of the Municipality’s combined sewer overflow points.
2. Copies of this resolution, shall be delivered to the Governor and all members of the New Jersey Congressional Delegation, by the Office of the City Clerk.

STATEMENT

This resolution supports the calling on the Governor and the New Jersey Congressional Delegation, to provide economic relief for the implementation of the USEPA and NJDEP mandated “Long Term Control Plan” for Combined Sewer Overflows.