

Amended by R.2000 d.317, effective August 7, 2000.

See: 32 N.J.R. 1670(a), 32 N.J.R. 2864(d).

Inserted "Certified local health agency", "Environmental indicators", "Interlocal services agreement", "National Environmental Performance Partnership System (NEPPS) Performance Partnership Agreement (PPA)" and "Strategic Plan 1998-2001".

## SUBCHAPTER 2. ENVIRONMENTAL HEALTH STANDARDS OF ADMINISTRATIVE PROCEDURE

### 7:1H-2.1 Provision of environmental health services

(a) The 19 existing county departments of health and any local health agency certified by the Commissioner of Environmental Protection pursuant to the procedures contained herein shall provide, or arrange for the provision of, environmental health services which meet the performance and administrative standards authorized herein. Every county health department and every certified local health agency is eligible for the receipt of such grants in aid for the provision of environmental health services as may become available to the Commissioner for distribution.

(b) A certified local health agency shall submit a county-wide environmental health assessment and improvement plan to the Department by November 1 of each year. The plan shall include, but not be limited to, the following elements:

1. A description of the environmental problems or issues in the county, including environmental indicators, if available, and socio-demographic characteristics;
2. An evaluation of existing resources, including personnel, equipment and funding sources to carry out delegated responsibilities;
3. A review of environmental health partnerships between the certified local health agency and other local units, a description of the respective roles of each unit and whether interlocal services agreements have been executed;
4. Recommendations for environmental health activities to be undertaken during the upcoming grant cycle that are aligned with the Department's priorities as set forth in the Strategic Plan and NEPPS performance partnership agreement; and
5. Identification of any environmental health service gaps between the Department's priorities and the certified local health agency's priorities and/or emerging environmental issues at the county level and recommendations on how to address such issues.

(c) The Department shall review the county-wide environmental health assessment and improvement plan to identify delegated environmental activities to be undertaken by the certified local health agency in the upcoming grant cycle,

and shall use this plan as a guide in apportioning grant monies to the certified local health agencies in accordance with (e) below.

(d) The Department shall conduct a grant conference each calendar year to discuss the Department's environmental priorities, as specified in the Strategic Plan and the NEPPS performance partnership agreement as well as emerging critical priorities established by the Department, which are relevant to the provision of environmental health services by certified local health agencies. Each certified local health agency shall have a representative attend this grant conference. Notice of the grant conference shall be made by means of a public notice published in the New Jersey Register.

(e) The Department shall apportion the monies available for grants among the certified local health agencies and establish delegated activities and output numbers based upon the following factors:

1. The extent to which the Department determines that the environmental activities to be funded are aligned with the Strategic Plan and the NEPPS performance partnership agreement and further the Department's goals and priorities as set forth therein;
2. The extent to which the Department determines that each county's recommendations regarding delegated activities to be undertaken, as identified in its county-wide environmental health assessment and improvement plan, are appropriate and serve to further the Department's goals and priorities as set forth in the Strategic Plan and NEPPS Performance Partnership Agreement;
3. The certified local health agency's record of satisfying its obligations as specified in the annual CEHA grant agreements executed with the Department; and
4. The certified local health agency's funding needs to undertake delegated environmental activities.

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See: 32 N.J.R. 1670(a), 32 N.J.R. 2864(d).

Rewrote the section.

### 7:1H-2.2 Duties and powers

(a) The county department and local health agency shall investigate citizen complaints and provide public information and citizen education services in all matters concerning environmental health. The county department and local health agency shall monitor the various State statutes, rules and regulations concerning environmental health; shall report any violations of said statutes, rules and regulations to the department for enforcement; shall gather evidence of said violations as required; and shall provide witnesses for any resultant court action as needed. The county department and local health agency may maintain an action in a court of competent jurisdiction against any other person to enforce, or to restrain the violation of, any statute, regulation or ordinance which is designed to prevent or minimize

pollution, impairment or destruction of the environment as provided in the Environmental Rights Act, N.J.S.A. 2A:35A-1 et seq.