

ENVIRONMENTAL PROTECTION

DEPARTMENT OF ENVIRONMENTAL PROTECTION OVERVIEW

The Department of Environmental Protection (DEP) safeguards the environment through its permitting and enforcement activities, oversees the remediation of sites contaminated by hazardous waste, regulates the use of environmentally sensitive land, manages the State's parks and forests, protects and renews New Jersey's beaches, and preserves open space in the state. The fiscal 2000 Budget recommendation of \$380 million includes \$188 million in Direct State Services, \$10 million in State Aid, \$350,000 in Grants-In-Aid, and \$88 million in Capital. This represents an increase of \$29.2 million (11%) over the fiscal 1999 funding level in these areas. Funding for the preservation of open space totals \$98 million for fiscal 2000 and is displayed in the Interdepartmental Capital section of the budget.

The Department's budget is organized along functional lines, including major sections for Natural Resources, Science and Technical Programs, Site Remediation, Environmental Regulation (Permitting), Environmental Planning and Administration, and Enforcement Policy. This display reflects the fact that the Department's media-based programs (e.g., air, water, etc.) provide services which have common characteristics and may be grouped under broad functional headings.

The fiscal 2000 Budget provides a total of \$86 million for Natural Resources programs, a 17% increase over fiscal 1999. This increase is due in part to a \$3.5 million Direct State Services increase for improved staffing and operation of the State parks. Major capital investments totaling \$12.3 million will benefit various park and wildlife facilities, including \$2 million for the restoration of historic buildings on Ellis Island.

The funding recommendation for Science and Technical Programs is \$18.0 million. This \$900,000 decrease from fiscal 1999 does not represent a base budget reduction; it is due solely to adjustments made for two fiscal 1999 supplemental appropriations.

The fiscal 2000 Budget recommends a combined operating and capital budget of \$92.0 million for the Site Remediation program. The increase of \$12.6 million from fiscal 1999 is attributable entirely to the 4% corporation business tax constitutional dedication for hazardous site cleanup and underground storage tanks.

This budget recommends a \$600,000 increase for Land Use Regulation. This brings the total recommendation for Environmental Regulation -- which includes programs in Air Pollution Permitting, Water Supply and Watershed Management, Water Pollution Permitting, Public Wastewater, and Solid and Hazardous Waste Management -- to \$42.3 million, including \$2.3 million for capital projects.

The fiscal 2000 recommendation for Environmental Planning and Administration, at \$118.6 million, includes a major State Aid increase of \$2.2 million for payments to municipalities in-lieu-of-taxes. The State Aid increase reflects an Administration initiative to revamp the municipal compensation formula for State-owned open space. The Direct State Services portion of Environmental Planning and Administration shows an increase of \$1 million over the fiscal 1999 level. This is necessitated by an anticipated increase in vehicle and computer equipment financing costs as well as by recent management level restructuring in the Department. The Environmental Planning and Administration recommendation also includes \$92.6 million for Debt Service on the State's general obligation bonds associated with the Department.

The fiscal 2000 Budget also provides continuation funding of \$22.7 million for DEP's Enforcement Policy programs. This includes a \$20.2 million Direct State Services budget and \$2.5 million in State Aid for administration of the County Environmental Health Act.

SUMMARY OF APPROPRIATIONS BY FUND (thousands of dollars)

Year Ending June 30, 1998					Year Ending June 30, 2000			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		1999 Adjusted Approp.	Requested	Recom- mended
189,296	23,690	-203	212,783	189,264	Direct State Services	182,636	188,114	188,114
2,350	---	---	2,350	360	Grants-In-Aid	714	350	350
9,067	439	460	9,966	9,242	State Aid	8,062	10,262	10,262
97,630	13,741	-1,402	109,969	73,071	Capital Construction	66,544	123,161	88,394
82,703	---	---	82,703	82,693	Debt Service	104,640	92,649	92,649
381,046	37,870	-1,145	417,771	354,630	Total General Fund	362,596	414,536	379,769
381,046	37,870	-1,145	417,771	354,630	TOTAL STATE APPROPRIATIONS	362,596	414,536	379,769

ENVIRONMENTAL PROTECTION

SUMMARY OF APPROPRIATIONS BY PROGRAM (thousands of dollars)

Year Ending June 30, 1998					Year Ending June 30, 2000			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	1999 Adjusted Approp.	Requested	Recommended	
DIRECT STATE SERVICES - GENERAL FUND								
Natural Resource Management								
5,656	21	107	5,784	5,703	Forest Resource Management	6,306	6,456	6,456
28,981	1,189	384	30,554	30,177	Parks Management	32,347	35,802	35,802
10,945	2,482	114	13,541	12,248	Hunters' and Anglers' License Fund	11,606	11,529	11,529
1,366	---	-20	1,346	1,343	Shellfish and Marine Fisheries Management	1,313	1,313	1,313
312	367	170	849	759	Wildlife Management	346	346	346
1,782	162	1,253	3,197	3,128	Natural Resources Engineering	1,433	1,433	1,433
1,813	43	383	2,239	2,006	Palisades Interstate Park Commission	2,026	2,026	2,026
50,855	4,264	2,391	57,510	55,364	<i>Subtotal</i>	55,377	58,905	58,905
Science and Technical Programs								
5,965	631	-55	6,541	5,082	Radiation Protection	5,775	4,961	4,961
3,110	42	36	3,188	3,105	Air Pollution Control	2,063	2,063	2,063
479	228	---	707	707	Water Supply and Watershed Management	507	507	507
1,197	---	-71	1,126	1,115	Water Monitoring and Planning	1,175	1,175	1,175
2,554	18	-22	2,550	2,501	Science and Research	2,733	2,733	2,733
369	---	237	606	587	Water Quality Management	398	398	398
9,900	---	---	9,900	3,043	Environmental Remediation and Monitoring	5,100	5,000	5,000
1,306	---	10	1,316	1,316	Watershed Management Planning	1,149	1,149	1,149
24,880	919	135	25,934	17,456	<i>Subtotal</i>	18,900	17,986	17,986
Site Remediation								
11,491	3,097	---	14,588	8,954	Publicly-Funded Site Remediation	6,426	6,426	6,426
19,714	7,834	---	27,548	27,441	Responsible Party Site Remediation	20,551	20,551	20,551
8,300	---	---	8,300	4,906	Environmental Remediation and Monitoring	5,200	6,300	6,300
39,505	10,931	---	50,436	41,301	<i>Subtotal</i>	32,177	33,277	33,277
Environmental Regulation								
5,498	37	-23	5,512	5,325	Air Pollution Control	5,807	5,807	5,807
7,135	1,301	-54	8,382	7,959	Water Supply and Watershed Management	7,241	7,187	7,187
7,409	1	-48	7,362	7,162	Water Pollution Control	7,419	7,419	7,419
628	79	---	707	706	Public Wastewater Facilities	2,782	2,782	2,782
6,001	1,021	66	7,088	7,042	Land Use Regulation	6,240	6,818	6,818
9,726	320	-53	9,993	9,591	Solid and Hazardous Waste Management	9,886	9,966	9,966
36,397	2,759	-112	39,044	37,785	<i>Subtotal</i>	39,375	39,979	39,979
Environmental Planning and Administration								
1,755	8	250	2,013	1,992	Regulatory and Governmental Affairs	1,890	1,890	1,890
16,443	3,490	-2,278	17,655	16,057	Administration and Support Services	14,736	15,795	15,795
18,198	3,498	-2,028	19,668	18,049	<i>Subtotal</i>	16,626	17,685	17,685
Enforcement Policy								
6,484	667	-350	6,801	6,796	Air Pollution Control	7,566	7,604	7,604
1,953	---	-67	1,886	1,861	Pesticide Control	1,925	1,925	1,925

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Year Ending June 30, 1998					Year Ending June 30, 2000			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		1999 Adjusted Approp.	Requested	Recom- mended
5,831	360	-175	6,016	5,395	Water Pollution Control	5,439	5,396	5,396
1,529	276	5	1,810	1,788	Land Use Regulation	1,700	1,643	1,643
3,664	16	-2	3,678	3,469	Solid and Hazardous Waste Management	3,551	3,714	3,714
<u>19,461</u>	<u>1,319</u>	<u>-589</u>	<u>20,191</u>	<u>19,309</u>	<i>Subtotal</i>	<u>20,181</u>	<u>20,282</u>	<u>20,282</u>
189,296	23,690	-203	212,783	189,264	Subtotal Direct State Services - General Fund	182,636	188,114	188,114
189,296	23,690	-203	212,783	189,264	TOTAL DIRECT STATE SERVICES	182,636	188,114	188,114
GRANTS-IN-AID - GENERAL FUND								
Natural Resource Management								
2,000	---	---	2,000	10	Parks Management	---	---	---
---	---	---	---	---	Natural Resources Engineering	220	---	---
<u>2,000</u>	<u>---</u>	<u>---</u>	<u>2,000</u>	<u>10</u>	<i>Subtotal</i>	<u>220</u>	<u>---</u>	<u>---</u>
Environmental Planning and Administration								
350	---	---	350	350	Administration and Support Services	494	350	350
2,350	---	---	2,350	360	Subtotal Grants-In-Aid - General Fund	714	350	350
2,350	---	---	2,350	360	TOTAL GRANTS	714	350	350
STATE AID - GENERAL FUND								
Natural Resource Management								
100	---	---	100	100	Natural Resources Engineering	---	---	---
Science and Technical Programs								
877	---	---	877	877	Water Monitoring and Planning	---	---	---
Environmental Regulation								
---	---	251	251	---	Water Supply and Watershed Management	---	---	---
---	39	---	39	39	Public Wastewater Facilities	---	---	---
---	39	251	290	39	<i>Subtotal</i>	---	---	---
Environmental Planning and Administration								
5,637	---	9	5,646	5,573	Administration and Support Services	5,609	7,809	7,809
Enforcement Policy								
2,453	400	200	3,053	2,653	Water Pollution Control	2,453	2,453	2,453
9,067	439	460	9,966	9,242	Subtotal State Aid - General Fund	8,062	10,262	10,262
9,067	439	460	9,966	9,242	TOTAL STATE AID	8,062	10,262	10,262
200,713	24,129	257	225,099	198,866	TOTAL APPROPRIATIONS DSS, GRANTS AND STATE AID	191,412	198,726	198,726

ENVIRONMENTAL PROTECTION

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

42. NATURAL RESOURCE MANAGEMENT

OBJECTIVES

1. To provide recreational, historic, natural and interpretive facilities.
2. To develop recreational lands and facilities, located in balance with population distribution.
3. To regulate the recreational use of public lands and minimize natural resource damage.
4. To provide safe marina facilities, navigational aids, and other services to the boating public.
5. To provide the financial assistance and engineering technology that minimizes potential loss of life and property damage due to flooding.
6. To manage and protect the state's forest resources. To minimize forest damage from wildfire, insects and disease, and to enhance the public's understanding of sustainable forest resource management.
7. To manage fish and wildlife resources of the State for long-term biological, economic and recreational viability.
8. To provide for the development of shore protection facilities and improvements, and to minimize personal and property damage resulting from tidal waters of the State.
9. To provide a system of highways, parkway roads, and bridges for the Palisades Interstate Park to facilitate travel through and within the park and ensure safe and efficient movement of traffic.

PROGRAM CLASSIFICATIONS

11. **Forest Resource Management.** The State Forestry Service manages and protects the rural and urban forest resources of New Jersey. The Forest Fire Service is mandated to prevent, manage and suppress wildfire on or threatening 3.1 million acres of State and private forest and wildlands of New Jersey. The Forest Service promotes forestry by providing both State and federal programs in urban and community forestry; forest products conservation and recycling; private non-industrial forest lands management; forest insect and disease control; forest conservation and education; reforestation and tree improvement; and State lands management.
12. **Parks Management.** Operates and maintains thirty-eight State parks, four marinas, twenty-seven historic facilities and other recreation, natural, and interpretive facilities in a clean, safe and non-discriminatory manner; staffs facilities with maintenance, administrative, ranger and seasonal personnel to provide assistance, information, interpretive and protective services to the public; manages properties to ensure the preservation of natural and historic resources while maintaining high quality recreational opportunities; plans for the development and improvement of new facilities and reviews and approves all new construction; provides literature regarding recreational facilities, natural area and historic preservation. Operates and maintains State marinas in a clean, safe

and non-discriminatory manner for all boat owners and visitors. Safe moorings are provided for boaters during heavy storms.

13. **Hunters' and Anglers' License Fund.** Manages the wildlife resources of the State through programs of research, regulation, habitat development, land acquisition, law enforcement and public education. Trout and other species of fish, pheasants, and quail are reared at state hatcheries and game farms and released throughout the State; public lands are acquired and maintained for use as wildlife management areas. Regulations regarding hunting and fishing seasons are developed and licenses are sold to provide a source of revenue to manage the State's wildlife resources.
14. **Shellfish and Marine Fisheries Management.** Manages the marine shellfish and finfish resources of the State through research, monitoring, habitat protection, licensing and regulatory programs. Clam and oyster grounds are leased to commercial shellfishermen for aquaculture activities. Programs (relay and depuration) also provide for the safe utilization of shellfish from marginally polluted areas. Marine fisheries programs support the effective management of the numerous migratory species on a coastwide basis. An artificial reef program constructs fisheries habitat in ocean areas to enhance productivity, thus providing additional fishing and diving opportunities.
20. **Wildlife Management.** Conducts wildlife research to protect and manage the State's non-game endangered species. Additional responsibilities include permit review for wildlife possession, bird banding, scientific collection and public information.
21. **Natural Resources Engineering.** Develops, maintains, dredges and marks navigation channels on 200 miles of tidal inland waterways and large State-controlled lakes for the safety and protection of the boating public and industries. Provides financial assistance to local governments with the construction of groins, jetties, bulkheads, sea walls, and beach replenishment under the shore protection program, carries out various dam safety inspections, and administers flood control and harbor cleanup programs.
24. **Palisades Interstate Park Commission.** Operates and maintains existing parks and historic sites in a clean, safe, and non-discriminatory manner for all visitors; plans for the improvement and development of new facilities; maintains highways, bridges, landscaped areas, signs, and traffic lines to ensure the safety of the monitoring public. Enforces traffic laws on the Palisades Parkway and all other roads within the Commission's boundaries; polices Commission lands to ensure that park facilities are utilized in accordance with laws, statutes, and Commission regulations; maintains a police court with the powers and jurisdiction of a municipal court with respect to crimes, disorderly conduct, and violations of the motor vehicle and traffic or other laws of the State or of any of the rules and regulations of the Commission.

ENVIRONMENTAL PROTECTION

EVALUATION DATA

	Actual FY 1997	Actual FY 1998	Revised FY 1999	Budget Estimate FY 2000
PROGRAM DATA				
Forest Resource Management				
Fires (annual)	1,621	1,631	1,600	1,500
Acres lost (annual)	4,850	4,850	6,500	8,000
Parks Management				
State parks and forests				
Total visitors	13,925,380	14,017,161	13,975,000	14,000,000
Total revenue	\$3,982,760	\$3,855,286	\$4,050,000	\$4,060,000
Historic sites				
Visitors	375,000	375,000	375,000	380,000
Revenue	\$21,000	\$21,000	\$21,000	\$21,500
Hunters' and Anglers' License Fund				
Trout propagated and distributed	758,310	740,000	768,600	768,600
Pheasants reared at game farms	55,000	50,000	49,000	50,000
Other fish propagated and distributed	628,556	1,053,958	650,000	700,000

PERSONNEL DATA

Position Data

Filled Positions by Funding Source

State Supported	843	856	861	999
Federal	28	23	23	25
All Other	6	7	7	18
Total Positions	877	886	891	1,042

Filled Positions by Program

Forest Resource Management	101	102	102	108
Parks Management	475	483	489	604
Hunters' and Anglers' License Fund	202	198	197	211
Shellfish and Marine Fisheries Management	36	35	36	40
Wildlife Management	12	13	13	14
Natural Resources Engineering	51	55	54	65
Total Positions	877	886	891	1,042

Notes:

Actual payroll counts are reported for fiscal years 1997 and 1998 as of December, and revised fiscal year 1999 as of September. The Budget Estimate for fiscal year 2000 reflects the number of positions funded.

APPROPRIATIONS DATA

(thousands of dollars)

Year Ending June 30, 1998					Year Ending June 30, 2000				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1999 Adjusted Approp.	Requested	Recom- mended	
					Distribution by Program				
5,656	21	107	5,784	5,703	11	6,306	6,456	6,456	
30,981	1,189	384	32,554	30,187	12	32,347	35,802	35,802	
10,945	2,482	114	13,541	12,248	13	11,606	11,529	11,529	
1,366	---	-20	1,346	1,343	14	1,313	1,313	1,313	
312	367	170	849	759	20	346	346	346	
1,882	162	1,253	3,297	3,228	21	1,653	1,433	1,433	
<u>1,813</u>	<u>43</u>	<u>383</u>	<u>2,239</u>	<u>2,006</u>	24	<u>2,026</u>	<u>2,026</u>	<u>2,026</u>	
52,955	4,264	2,391	59,610	55,474	Total Appropriation	55,597^(a)	58,905	58,905	

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Year Ending June 30, 1998					Year Ending June 30, 2000			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1999 Adjusted Approp.	Requested	Recommended
					Distribution by Fund and Object			
					Direct State Services - General Fund			
					Personal Services:			
33,820	179							
<u>259^S</u>	<u>1,082^R</u>	<u>2,620</u>	<u>37,960</u>	<u>37,889</u>		<u>37,136</u>	<u>40,170</u>	<u>40,170</u>
34,079	1,261	2,620	37,960	37,889		37,136	40,170	40,170
4,283	491	-436	4,338	3,934		3,688	3,678	3,678
2,121	325	-252	2,194	1,921		2,311	1,854	1,854
2,785	63	400	3,248	3,138		2,888	3,629	3,629
					Special Purpose:			
1,025	---	---	1,025	948	11	1,525	1,525	1,525
---	---	---	---	---	12	1,500	1,500	1,500
---	---	---	---	---	12	500	500	500
350	---	---	350	350	12	---	---	---
3,848	1,062 ^R	---	4,910	4,910	12	4,054	4,054	4,054
22	---	---	22	21	12	22	22	22
178	---	-17	161	159	12	181	181	181
90	---	9	99	99	12	135	90	90
5	---	---	5	5	12	5	5	5
65	---	---	65	6	12	---	---	---
---	6	---	---	---				
312	361 ^R	---	679	590	20	346	346	346
---	---	90	90	90	20	---	---	---
---	---	80	80	79	20	---	---	---
---	---	275	275	275	21	---	---	---
242	117 ^R	6	365	360	21	---	---	---
263	18 ^R	---	281	281	21	284	284	284
143	25 ^R	---	168	168	21	---	---	---
---	---	260	260	69	24	---	---	---
6,543	1,589	703	8,835	8,410		8,552	8,507	8,507
1,044	535	-644	935	72		802	1,067	1,067
50,855	4,264	2,391	57,510	55,364		55,377	58,905	58,905
					Grants-In-Aid - General Fund			
2,000	---	---	2,000	10	12	---	---	---
---	---	---	---	---	21	90	---	---
---	---	---	---	---	21	50	---	---
---	---	---	---	---	21	50	---	---
---	---	---	---	---	21	30	---	---
2,000	---	---	2,000	10		220	---	---

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Year Ending June 30, 1998					Year Ending June 30, 2000				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1999 Adjusted Approp.	Requested	Recommended	
100 ^S	---	---	100	100	21	---	---	---	
100	---	---	100	100	Total State Aid - General Fund				
						---	---	---	

OTHER RELATED APPROPRIATIONS

<u>21,190</u>	<u>6,069</u>	<u>-1,402</u>	<u>25,857</u>	<u>15,479</u>	Total Capital Construction	<u>18,200</u>	<u>53,960</u>	<u>27,250</u>
74,145	10,333	989	85,467	70,953	TOTAL STATE APPROPRIATIONS	73,797	112,865	86,155
Federal Funds								
1,705	182	---	1,887	488	Forest Resource Management	11	1,239	1,269
22,053					Parks Management	12	24,425	24,559
64 ^S	648	---	22,765	1,694	Hunters' and Anglers' License Fund	13	8,330	8,442
9,316	1,642	---	10,958	2,575	Shellfish and Marine Fisheries Management	14	2,630	2,730
5,690	404	---	6,094	1,264	Natural Resources Engineering	21	200	250
<u>200</u>	<u>135</u>	<u>---</u>	<u>335</u>	<u>135</u>	Total Federal Funds		36,824	37,250
39,028	3,011	---	42,039	6,156			37,250	37,250
All Other Funds								
---	7	---	5,172	---	Forest Resource Management	11	250	363
---	1,795	69	3,161	2,397	Parks Management	12	4,457	4,447
---	6,099	81	6,465	---	Hunters' and Anglers' License Fund	13	1,593	1,044
---	285 ^R				Shellfish and Marine Fisheries Management	14	220	271
---	733	115	1,201	606	Wildlife Management	20	586	485
---	353 ^R				Natural Resources Engineering	21	98	160
---	1,193	60	1,762	308	Palisades Interstate Park Commission	24	3,299	3,350
---	509 ^R				Total All Other Funds		10,503	10,120
---	459				GRAND TOTAL		121,124	160,235
---	893 ^R						160,235	133,525
---	858							
---	3,252 ^R							
<u>---</u>	<u>22,898</u>	<u>325</u>	<u>23,223</u>	<u>7,358</u>				
113,173	36,242	1,314	150,729	84,467				

Notes

(a) The fiscal year 1999 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Salary Increases and Other Benefits account.

Language Recommendations -- Direct State Services - General Fund

An amount equivalent to 75% of receipts in excess of the amount anticipated from fees and permit receipts from the use of State park and marina facilities, and the unexpended balance as of June 30, 1999 of such receipts, are appropriated for Parks Management, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of P.L.1985, c.533 (C.13:1E-99.1 et seq.) or any other law to the contrary, of the amount hereinabove for Parks Management \$725,000 is appropriated from the Clean Communities Fund to offset the cost of Parks' litter pickup program.

The unexpended balance as of June 30, 1999 in the Delaware and Raritan Canal Commission, Canal Corridor, Base Maps account is appropriated.

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The amount hereinabove for the Green Acres Administration account is appropriated from the 1995 New Jersey Green Acres Fund and the 1995 New Jersey Green Trust Fund pursuant to the "Green Acres, Historic Preservation and Blue Acres Bond Act of 1995," P.L. 1995, c.204, together with an amount not to exceed \$1,880,000 subject to the approval of the Director of the Division of Budget and Accounting, for the administration of the Green Acres program.

Receipts from police court, stands, concessions and self-sustaining activities operated or supervised by the Palisades Interstate Park Commission, and the unexpended balance as of June 30, 1999 of such receipts, are appropriated.

The amount hereinabove for the Hunters' and Anglers' License Fund is payable out of that Fund and any amount remaining therein and the unexpended balance as of June 30, 1999 in the Hunters' and Anglers' License Fund, together with any receipts in excess of the amount anticipated, are appropriated. If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.

Pursuant to section 2 of P.L.1993, c.303 (C.23:3-1f), there are appropriated such sums as may be necessary to offset revenue losses associated with the issuance of free hunting and fishing licenses to active members of the New Jersey State National Guard. The amount to be appropriated shall be certified by the Division of Fish, Game and Wildlife and is subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Endangered Species Tax Check-Off Donations account is payable out of receipts, and the unexpended balances in the Endangered Species Tax Check-Off Donations account as of June 30, 1999, together with receipts in excess of the amount anticipated, are appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

An amount not to exceed \$1,329,000 is allocated from the capital construction appropriation for Shore Protection Fund Projects for costs attributable to planning, operation, and administration of the shore protection program, subject to the approval of the Director of the Division of Budget and Accounting.

An amount not to exceed \$280,000 is allocated from the capital construction appropriation for Shore Protection Fund Projects for the operation and maintenance of the Bayshore Flood Control facility.

The amount hereinabove for the Dam Repair Administrative Costs accounts is appropriated from "Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992," P.L.1992, c.88, together with an amount not to exceed \$160,000 subject to the approval of the Director of the Division of Budget and Accounting, for administrative costs related to this bond fund.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

43. SCIENCE AND TECHNICAL PROGRAMS

OBJECTIVES

1. To protect the public and the environment against unnecessary radiation exposure from natural and man-made sources.
2. To ensure a high quality of life for the residents of New Jersey by preserving, sustaining, protecting, and enhancing the air environment. Also, to provide program coordination to comply with state and federal mandates to attain air quality standards, conduct air monitoring, planning, analysis, and motor vehicle pollution control projects, and coordinate the development of regulations.
3. To undertake technical activities, policy development, and applied scientific research, associated with human and ecological exposure to toxic substances, as well as other critical environmental issues identified by DEP. To serve as DEP's primary unit for environmental assessment, risk analysis, and development of an environmental indicators system. These activities are designed to meet the department's information and problem-solving needs, and to identify current scientific needs which warrant the department's attention, as well as to proactively identify scientific issues and environmental problems before they become crises.
4. To map, research, and interpret scientific information regarding the State's geology and groundwater resources. This information supports the regulatory and planning functions of DEP and other governmental agencies and provides the business community and the public with the geologic and hydrologic information necessary to address environmental concerns and make economic decisions.
5. To establish and maintain policies and procedures for the generation, compilation, review and use of data of documented quality, as required by the USEPA.
6. To certify the analytical capabilities of laboratories performing analyses in response to the State's environmental programs.
7. To develop and coordinate implementation of watershed management programs, ground water protection programs, and water supply management, development, conservation and protection plans.
8. To develop and coordinate the implementation of the Coastal Zone Management and the National Estuary programs, including the Delaware, NY/NJ Harbor and Barnegat Bay Estuaries.
9. To develop and coordinate water quality management planning functions, including water quality standards, wastewater management, point and nonpoint source pollution control and the restoration of aquatic habitats.

PROGRAM CLASSIFICATIONS

01. **Radiation Protection.** Identifies the location and character of natural and man-made radiation sources, determines the exposure pathway and biological impact of those sources (including major nuclear facilities), and provides direction on remediation options. Controls the possession, transportation, use and storage of radioactive materials, and plans for the prevention and remedy of mass exposure, including evacuation, containment and decontamination. This unit also registers and inspects x-ray machines and radioactive material users, licenses x-ray technologists, nuclear medicine technologists, and radon testers and mitigators. Establishes and maintains policies and procedures for the generation, compilation, review and the use of data of documented quality, as required by the USEPA. Reviews data submitted to the department to verify its quality and determine its usability. Certifies the analytical capabilities of laboratories performing analyses in response to the State's environmental programs.

ENVIRONMENTAL PROTECTION

02. **Air Pollution Control.** Ensures a high quality of life for the residents of New Jersey by protecting and enhancing the air environment. Provides program coordination in compliance with state and federal mandates to attain air quality standards. Conducts air monitoring, planning and analysis, as well as motor vehicle pollution control projects and the development of regulations.
05. **Water Supply and Watershed Management.** Administers the Division of Science and Research's component of the federal and state safe drinking water programs.
07. **Water Monitoring and Planning.** Conducts ambient statewide freshwater quality monitoring (surface, ground water and sediment), marine ambient surface water quality monitoring, statewide biological monitoring (AMNET), and assessments in support of NJPDES permit issuance, water quality inventory reporting, water quality planning, and enforcement actions. Conducts water quality surveys in support of program needs. Operates the State's biological and aquatic toxicological programs. Develops regulations for toxicity testing and certification in the biological program. Manages the lakes restoration and grant assistance programs. Develops, operates and maintains water quality data base systems for both government and public access. Coordinates the development and integration of biological criteria into state water quality standards. Classifies shellfish growing areas as approved or condemned, and conducts bacteriological and chemical analysis of shellfish for health hazard prevention.
15. **Land Use Regulation.** Protects and manages the State's land and water resources through planning activities related to the Coastal Zone Management Program (including implementation of the Coastal Area Facility Review Act or CAFRA, coastal wetlands and water development laws) and management of stormwater through the Stream Encroachment and CAFRA laws.
18. **Science and Research.** Environmental Assessment and Risk Analysis: Provides a fundamental science foundation for a wide range of departmental policies, actions and standard-setting activities. Develops scientific information and innovative management strategies by performing environmental assessments and risk analyses; scientific investigations and technical assessments of toxic and carcinogenic contaminants; human health and ecological risk assessments; water quality assessments; applied research and technical evaluations; comprehensive review and assessment of the current state of scientific knowledge on specific issues; scientific connections for dealing with cross-media contaminants; new economically-based environmental management approaches; innovative technologies for remediation of hazardous waste sites; and effective risk communication techniques. Identifies emerging environmental strategies and issues and develops them for departmental implementation. Develops human health criteria for toxic contaminant standards in potable water, ground water, surface water and soil. Leads DEP's implementation of the National Performance Partnership System (NEPPS) and development of New Jersey's environmental indicators system. Office of Innovative Technology and Market Development: Seeks to enhance New Jersey's environment and to position the State more favorably in the global environmental technology marketplace by stimulating the growth and acceptance of innovative environmental technology products and services in the State, enhancing the network of New Jersey's academic, government and business communities toward environmental protection and economic development, and developing policies and programs designed to link environmental protection and economic development. In addition, seeks to help the State improve its economic base and enhance the creation of private sector, non-regulatory jobs that benefit the environment.
22. **Water Quality Management.** The New Jersey Geological Survey, as part of the Division of Science, Research and Technology, maps the geology and topography of the State, assesses offshore mineral resources and dredging, maintains a cooperative monitoring program with the United States Geological Service (USGS) and reviews plans for underground storage of gas, oil and chemicals, high level radioactive wastes and disposal wells. The program also evaluates the supply potential and water quality of the State's aquifers, maintains a statewide geohydrologic database, maps aquifer recharge and wellhead protection areas, investigates groundwater pollution problems, and supports other State and municipal programs through geophysical studies, groundwater investigations, and the use of Geographic Information System (GIS) technology.
29. **Environmental Remediation and Monitoring.** On November 5, 1996, the voters of New Jersey approved an amendment to the State Constitution which dedicates 4% of the revenue annually derived from the tax imposed pursuant to the "Corporation Business Tax Act" (P.L.1945, c.162) to the Watershed Protection Fund, for the following purposes: financing the cost of water quality point and non-point source pollution monitoring, watershed-based water resource planning and management, and non-point source pollution prevention projects.
90. **Watershed Management Planning.** Conducts planning regarding watershed management, water quality, water supply, coastal zone management, stormwater management and planning requirements associated with the federal Clean Water Act, including water quality standards, water quality assessment, water pollution control management planning, and allocation of pollutant loadings. Also, conducts other related planning activities, including environmental impact statement review, liaison with the State Planning Commission, and implementation of the State Development and Redevelopment Plan within the Department.

EVALUATION DATA

PROGRAM DATA	Actual FY 1997	Actual FY 1998	Revised FY 1999	Budget Estimate FY 2000
Radiation Protection				
X-ray machines inspected	3,590	4,336	5,822	5,000
X-ray machine violations (% of inspected)	67%	47%	40%	40%
Homes tested for radon	42,500	42,000	42,000	45,000
Homes mitigated for radon	2,500	2,500	2,500	2,750
Lung Cancers Avoided	115	120	120	125

ENVIRONMENTAL PROTECTION

	Actual FY 1997	Actual FY 1998	Revised FY 1999	Budget Estimate FY 2000
Water Monitoring and Planning				
Ambient Marine Water:				
Percent of shellfish bed acres open	77%	77%	77%	78%
Percent of shellfish bed acres seasonal	3%	3%	4%	3%
Percent of shellfish bed acres condemned	13%	13%	12%	12%
Percent of shellfish bed acres specially restricted	7%	7%	7%	7%

PERSONNEL DATA

Position Data

Filled Positions by Funding Source

State Supported	233	243	262	291
Federal	38	34	30	29
All Other	8	8	---	---
Total Positions	279	285	292	320

Filled Positions by Program

Radiation Protection	86	81	80	85
Air Pollution Monitoring	66	59	65	73
Water Monitoring	42	41	43	54
Land Use Regulation	9	4	6	6
Science and Research	24	26	31	31
Water Quality Management	16	18	19	18
Environmental Remediation and Monitoring	---	12	11	18
Watershed Management Planning	36	44	37	35
Total Positions	279	285	292	320

Notes:

Actual payroll counts are reported for fiscal years 1997 and 1998 as of December, and revised fiscal year 1999 as of September. The Budget Estimate for fiscal year 2000 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1998					Year Ending June 30, 2000				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1999 Adjusted Approp.	Requested	Recom- mended	
Distribution by Program									
5,965	631	-55	6,541	5,082	01	5,775	4,961	4,961	
3,110	42	36	3,188	3,105	02	2,063	2,063	2,063	
479	228	---	707	707	05	507	507	507	
2,074	---	-71	2,003	1,992	07	1,175	1,175	1,175	
2,554	18	-22	2,550	2,501	18	2,733	2,733	2,733	
369	---	237	606	587	22	398	398	398	
9,900	---	---	9,900	3,043	29	5,100	5,000	5,000	
<u>1,306</u>	<u>---</u>	<u>10</u>	<u>1,316</u>	<u>1,316</u>	90	<u>1,149</u>	<u>1,149</u>	<u>1,149</u>	
25,757	919	135	26,811	18,333	18,900^(a)		17,986	17,986	
Distribution by Fund and Object									
Direct State Services - General Fund									
Personal Services:									
<u>6,549</u>	<u>---</u>	<u>575</u>	<u>7,124</u>	<u>7,020</u>		<u>6,214</u>	<u>6,930</u>	<u>6,930</u>	
6,549	---	575	7,124	7,020		6,214	6,930	6,930	
484	---	-159	325	313		340	190	190	
1,473	---	-212	1,261	1,223		1,441	987	987	
332	---	26	358	318		296	221	221	
Special Purpose:									
1,658						1,744			
1,098 ^S	602	-29	3,329	2,035	01	814 ^S	1,744	1,744	
873	---	-103	770	770	01	887	887	887	

ENVIRONMENTAL PROTECTION

Year Ending June 30, 1998					Year Ending June 30, 2000				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		Prog. Class.	1999 Adjusted Approp.	Requested	Recom- mended
479	228 ^R	---	707	707	Safe Drinking Water Fund	05	507	507	507
150	---	-50	100	100	Monmouth County Clam Depuration and Relay	07	150	150	150
700	---	---	700	700	Environmental Indicators and Monitoring	18	700	700	700
200	---	---	200	200	Aquatic Life - Toxics Study	18	---	---	---
255	---	---	255	255	Open Space - Wetlands Assessment	18	---	---	---
500	---	---	500	465	Hazardous Waste Research	18	500	500	500
5,000	---	---	9,900	3,043	Water Resources Monitoring and Planning-Constitutional Dedication	29	5,000	5,000	5,000
4,900 ^S	---	---	---	---	Metedeconk Creek and Toms River Watershed Management Project	29	100 ^S	---	---
15,813	830	-182	16,461	8,275	<i>Total Special Purpose</i>		10,402	9,488	9,488
229	89	87	405	307	Additions, Improvements and Equipment		207	170	170
24,880	919	135	25,934	17,456	Total Direct State Services - General Fund		18,900	17,986	17,986
State Aid - General Fund									
150 ^S	---	---	150	150	Echo Lake, Howell Township	07	---	---	---
102 ^S	---	---	102	102	Shadow Lake, Middletown Township	07	---	---	---
50 ^S	---	---	50	50	Wesley Lake Dredging	07	---	---	---
275 ^S	---	---	275	275	Franklin Borough Lake Dredging	07	---	---	---
100 ^S	---	---	100	100	McCarter Pond, Fair Haven	07	---	---	---
200 ^S	---	---	200	200	Blackwood Lake	07	---	---	---
877	---	---	877	877	Total State Aid - General Fund		---	---	---

OTHER RELATED APPROPRIATIONS

Federal Funds									
667	203	---	870	331	Radiation Protection	01	667	500	500
2,368	---	---	---	---	Air Pollution Control	02	5,210	4,710	4,710
329 ^S	194	---	2,891	1,383	Water Monitoring and Planning	07	2,000	2,200	2,200
4,200	28	---	4,228	1,679	Land Use Regulation	15	2,353	2,517	2,517
2,260	99	---	2,359	558	Science and Research	18	3,290	3,390	3,390
2,590	543	---	3,133	1,332	Water Quality Management	22	350	300	300
350	21	---	371	132	Watershed Management Planning	90	5,935	8,113	8,113
5,610	301	---	5,911	2,651	Total Federal Funds		19,805	21,730	21,730
18,374	1,389	---	19,763	8,066					
All Other Funds									
---	8,859	---	---	---	Radiation Protection	01	345	1,104	1,104
---	650 ^R	---	9,509	5,668	Air Pollution Control	02	---	---	---
---	---	514	514	20	Water Supply and Watershed Management	05	252	258	258

ENVIRONMENTAL PROTECTION

Year Ending June 30, 1998					Year Ending June 30, 2000				
Orig. & (S)Supple-mental	Reapp. & (R)Recpts.	Transfers & (E)Emer-gencies	Total Available	Expended	Prog. Class.	1999 Adjusted Approp.	Requested	Recom-mended	
---	31	---	31	1	Water Monitoring and Planning	07	---	---	
	411								
---	31 ^R	---	442	427	Science and Research	18	144	79	
---	2,602	---	2,602	2,602	Water Quality Management	22	---	---	
---	<u>12,584</u>	<u>514</u>	<u>13,098</u>	<u>8,718</u>	Total All Other Funds		<u>741</u>	<u>1,441</u>	
44,131	14,892	649	59,672	35,117	GRAND TOTAL		39,446	41,157	

Notes

- (a) The fiscal year 1999 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Salary Increases and Other Benefits account.

Language Recommendations -- Direct State Services - General Fund

There is allocated from the Commercial Vehicle Enforcement Fund, established pursuant to section 17 of P.L.1995, c.157 (C.39:8-75), such sums as may be necessary to fund the costs of the regulation of the Diesel Exhaust Emissions program, subject to the approval of the Director of the Division of Budget and Accounting.

There is allocated from the Motor Vehicle Inspection Fund, established in subsection j. of R.S.39:8-2 such sums as may be necessary to administer and implement the Inspection and Maintenance program, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Hazardous Waste Research account is appropriated from interest earned by the New Jersey Spill Compensation Fund for research on the prevention and the effects of discharges of hazardous substances on the environment and organisms, on methods of pollution prevention and recycling of hazardous substances, and on the development of improved cleanup, removal and disposal operations, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Nuclear Emergency Response account is payable from receipts received pursuant to the assessments of electrical utility companies under P.L.1981, c.302 (C.26:2D-37 et seq.), and the unexpended balances as of June 30, 1999 in the Nuclear Emergency Response account, together with receipts in excess of the amount anticipated, not to exceed \$759,000, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Environmental Remediation and Monitoring program classification shall be provided from revenue received from the Corporation Business Tax, pursuant to the "Corporation Business Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as dedicated by Article VIII, Section II, paragraph 6 of the State Constitution. The unexpended balance as of June 30, 1999 in the Water Resources Monitoring and Planning-Constitutional Dedication account is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

44. SITE REMEDIATION

OBJECTIVES

- To remediate sites contaminated by man-made hazardous substances and pollutants to protect human health and the environment and to restore contaminated areas of the State for beneficial use.
- To identify the universe of potential remediation sites including currently known and suspected discharge sites, regulated underground storage tank sites, industrial establishments as defined pursuant to ISRA, non-operating landfills, and RCRA facilities.
- To rank sites which need remediation, in order of their risk to humans and the environment, so as to address the "worst sites" first.
- To coordinate responses to major discharges involving hazardous substances and pollutants and to take immediate action to mitigate adverse impacts to human health and the environment, especially where water supplies are endangered.
- To respond to emergency discharges of hazardous and toxic substances and pollutants in the State, and to operate the Department's communication center so that environmental emergencies can be reported by the public.
- To maximize the use of private-party funds by having responsible parties either conduct remedial work with Department oversight, or pay the Department to conduct remedial work.
- To develop and implement clear, consistent and predictable regulations for conducting remediations in the State in order to provide direction to the regulated community and the Department.
- To compensate persons impacted by discharges of hazardous substances through the environmental claims program, supported by the Spill Compensation Fund, and through the Sanitary Landfill Contingency Fund claims program, and to administer, in conjunction with the Economic Development Authority, loans and grants under the Hazardous Discharge Site Remediation Fund and Underground Storage Tank Fund.

PROGRAM CLASSIFICATIONS

- Publicly-Funded Site Remediation.** Conducts a statewide program for the cleanup of sites contaminated by hazardous substances by planning, managing and overseeing site remediations where a responsible party cannot be identified or is either unable or unwilling to voluntarily participate. The program can through amendments to the Spill Fund Compensation and Control Act (P.L.

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1979, c.346) respond to a broad class of hazardous substance discharges. The major ramifications of these amendments are the abilities to identify and remedy abandoned contaminated sites, and to mitigate discharges that pose risk to human health or the environment. Remedial projects generally go through the following project cycle: Preliminary Assessment/Site Investigation; Remedial Investigation; Design; Construction; and Operation and Maintenance. These activities are supported by a combination of federal (Superfund) and State funds.

- 23. **Solid and Hazardous Waste Management.** Provides oversight for corrective action and/or closure and post-closure remedial cases pursuant to RCRA requirements and state regulations in order to protect individuals and the environment from environmental contamination.
- 27. **Responsible Party Site Remediation.** Conducts a statewide program for the cleanup of sites contaminated by hazardous substances through oversight of remediations conducted by private parties. Works with parties willing to remediate a site under the state's voluntary cleanup program or the state's risk-based cleanup

program. Provides oversight to assure that appropriate standards and technical requirements are met. The division handles cleanups from low to high complexity under the authority of the State Spill Compensation and Control Act, ISRA, Underground Storage of Hazardous Substances Act and the Water Pollution Control Act. The program also provides management assistance and coordination of remedial activities at National Priority List/Hazardous Site-Cleanups where the project lead is assumed by the federal Environmental Protection Agency, Department of Defense or Department of Energy.

- 29. **Environmental Remediation and Monitoring.** On November 5, 1996, the voters of New Jersey approved an amendment to the State Constitution which dedicates 4% of the revenue annually derived from the tax imposed pursuant to the "Corporation Business Tax Act" (P.L.1945, c.162), for the following purposes: funding, in the form of loans or grants, the upgrade, replacement or closure of underground storage tanks, including the cost of remediation; and financing the costs of the remediation of discharges of hazardous substances.

EVALUATION DATA

	Actual FY 1997	Actual FY 1998	Revised FY 1999	Budget Estimate FY 2000
PROGRAM DATA				
Responsible Party Site Remediation				
ISRA:				
Negative declarations	526	725	520	520
Remedial action workplan approvals	40	55	40	40
Remediations monitored	923	794	900	900
Remediations completed	526	486	526	526
Discharge Response Element:				
Emergency responses	1,276	1,175	1,300	1,300
Remediations monitored	3,531	2,957	3,700	3,600
Remediations completed	1,738	2,314	1,900	1,900
Responsible Party Cleanup Element:				
Remedial action workplan approvals	120	135	130	130
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	498	491	485	493
Federal	26	22	19	22
Total Positions	524	513	504	515
Filled Positions by Program				
Publicly-Funded Site Remediation	84	84	83	74
Hazardous Waste Management	5	4	3	3
Responsible Party Site Remediation	347	337	331	344
Environmental Remediation and Monitoring	88	88	87	94
Total Positions	524	513	504	515

Notes:

Actual payroll counts are reported for fiscal years 1997 and 1998 as of December, and revised fiscal year 1999 as of September. The Budget Estimate for fiscal year 2000 reflects the number of positions funded.

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APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1998					Year Ending June 30, 2000			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1999 Adjusted Approp.	Requested	Recommended
					Distribution by Program			
11,491	3,097	---	14,588	8,954				
19,714	7,834	---	27,548	27,441	19	6,426	6,426	6,426
8,300	---	---	8,300	4,906	27	20,551	20,551	20,551
39,505	10,931	---	50,436	41,301	29	<u>5,200</u>	<u>6,300</u>	<u>6,300</u>
					Total Appropriation			
					32,177^(a) 33,277 33,277			
					Distribution by Fund and Object			
					Direct State Services - General Fund			
					Personal Services:			
4,910	5,030 ^R	-1,485	8,455	8,455		8,260	7,588	7,588
4,910	5,030	-1,485	8,455	8,455		8,260	7,588	7,588
379	---	-94	285	222		311	276	276
2,609	---	-111	2,498	2,488		1,340	1,849	1,849
624	---	-82	542	529		432	473	473
					Special Purpose:			
---	---	934	934	934	19	---	---	---
5,377	---	---	5,377	26	19	---	---	---
1,280	453 ^R	---	1,733	1,733	19	---	---	---
---	---	838	838	838	27	---	---	---
14,428	5,285 ^R	---	19,713	19,712	27	15,386	15,386	15,386
399	---	---	399	399	27	---	---	---
698	---	---	698	698	27	714	714	714
5,600	---	---	5,600	---				
2,700 ^S	---	---	8,300	4,906	29	<u>5,200</u>	<u>6,300</u>	<u>6,300</u>
30,482	5,738	1,772	37,992	29,246		21,300	22,400	22,400
501	163	---	664	361		534	691	691
39,505	10,931	---	50,436	41,301	Total Direct State Services - General Fund			
					32,177 33,277 33,277			

OTHER RELATED APPROPRIATIONS

<u>73,850</u>	<u>104</u>	---	<u>73,954</u>	<u>55,086</u>	Total Capital Construction	<u>47,200</u>	<u>58,700</u>	<u>58,700</u>
113,355	11,035	---	124,390	96,387	TOTAL STATE APPROPRIATIONS	79,377	91,977	91,977
					Federal Funds			
100,200								
350 ^S	6,362	---	106,912	6,366	19	25,525	26,600	26,600
360	5	---	365	195	23	360	360	360
8,300	1,955	---	10,255	2,138	27	<u>5,105</u>	<u>4,855</u>	<u>4,855</u>
109,210	8,322	---	117,532	8,699	Total Federal Funds			
					30,990 31,815 31,815			

ENVIRONMENTAL PROTECTION

Year Ending June 30, 1998					Year Ending June 30, 2000				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1999 Adjusted Approp.	Requested	Recom- mended	
---	50	---	50	---	All Other Funds				
---	---	---	---	---	Publicly-Funded Site Remediation	19	3,628	2,419	2,419
---	---	---	---	---	Responsible Party Site Remediation	27	<u>10,392</u>	<u>9,798</u>	<u>9,798</u>
---	<u>50</u>	---	<u>50</u>	---	Total All Other Funds				
222,565	19,407	---	241,972	105,086	GRAND TOTAL				
						14,020	12,217	12,217	136,009
						124,387	136,009	136,009	136,009

Notes

- (a) The fiscal year 1999 appropriation has been adjusted for the allocation of salary program.
- (b) The amounts attributed to Spill Prevention, Response and Site Cleanup, Non-Site Specific Costs in fiscal 1999 and fiscal 2000 have been distributed to applicable operating accounts.
- (c) The Industrial Site Recovery Act program was reallocated to the Hazardous Discharge Site Cleanup Fund's appropriated receipts in fiscal 1999.

Language Recommendations -- Direct State Services - General Fund

In addition to site specific charges, the amounts hereinabove for the Publicly-Funded Site Remediation and the Responsible Party Site Remediation program classifications, excluding the Hazardous Discharge Site Cleanup Fund-Responsible Party, and the Underground Storage Tanks accounts, are appropriated from the New Jersey Spill Compensation Fund, in accordance with the provisions of P.L.1976, c.141 (C.58:10-23.11 et seq.), together with an amount not to exceed \$4,662,000, for administrative costs associated with the cleanup of hazardous waste sites, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the federal funds amount for the Publicly-Funded Site Remediation program class, such additional sums that may be received from the federal government for the Superfund Grants program are hereby appropriated.

There are appropriated from the New Jersey Spill Compensation Fund such sums as may be required for cleanup operations, adjusters and paying approved claims for damages in accordance with the provisions of P.L.1976, c.141 (C.58:10-23.11 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Hazardous Discharge Site Cleanup Fund-Responsible Party account is appropriated from responsible party cost recoveries deposited in the Hazardous Discharge Site Cleanup Fund, together with an amount not to exceed \$7,550,000, for administrative costs associated with the cleanup of hazardous waste sites, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for Underground Storage Tanks is appropriated from responsible party cost recoveries deposited in the Hazardous Discharge Site Cleanup Fund.

The amount hereinabove for the Environmental Remediation and Monitoring program classification shall be provided from revenue received from the Corporation Business Tax, pursuant to the "Corporation Business Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as dedicated by Article VIII, Section II, paragraph 6 of the State Constitution. The unexpended balance as of June 30, 1999 in the Cleanup Projects Administrative Costs-Constitutional Dedication account is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts derived from the sale of salvaged materials are appropriated to offset costs incurred in the cleanup and removal of hazardous substances.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

45. ENVIRONMENTAL REGULATION

OBJECTIVES

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. To assure a safe and dependable supply of water. 2. To monitor and report on the biological, chemical and physical quality of surface waters, ground waters and sediments in the State. To monitor NJPDES permit compliance in order to develop water quality standards and programs and to evaluate the effectiveness of existing regulatory programs for the protection and improvement of New Jersey's water quality. 3. To make decisions that carry out the purposes and requirements of the enabling legislation and regulations. | <ol style="list-style-type: none"> 4. To conduct reviews of permit applications in a manner that promotes meaningful public input. 5. To develop procedural and regulatory changes as well as non-regulatory studies and outreach efforts to expand the utilization of pollution prevention, the protection of critical watersheds from cumulative negative impacts, and the consideration of the State Development and Redevelopment Plan in the Department's decision-making. 6. To help permit applicants to comply with applicable requirements and promptly inform them when such compliance does not seem possible. |
|--|--|

ENVIRONMENTAL PROTECTION

7. To find opportunities to make permit reviews efficient while maintaining or improving protection of the environment, to eliminate procedures and requirements that do not lead to greater environmental protection, and to consolidate the reviews of multiple permits for individual facilities or projects.
8. To use available wastewater funds to improve and protect water quality.
9. To implement a statewide solid waste planning process with emphasis on source reduction, recycling and market development activities; to conduct comprehensive reviews of permit applications for solid waste, hazardous waste, recycling and composting facilities.

PROGRAM CLASSIFICATIONS

02. **Air Pollution Control.** Reviews construction plans for new and modified stationary sources of potential air pollution and issues permits for construction and operation; validates tax exemption claims for air pollution control equipment; oversees the conduct of periodic stack tests to determine air contaminant emission rates; oversees continuous emission monitoring of stacks; reviews and conducts air quality modeling studies of major new sources of air contamination; reviews and restricts health risk of toxic air contaminant emissions from stationary sources; and reviews and issues facility-wide operating permits for major existing sources of air pollution.
05. **Water Supply and Watershed Management.** Administers the federal and state safe drinking water programs, the well drilling permit program and the water allocation program to ensure a safe and reliable water supply. As part of the Safe Drinking Water program, will administer Drinking Water State Revolving Fund (DWSRF). The DWSRF will include a financing program for water supply projects, along with set asides for capacity development, training for licensed operators and source water protection activities.
08. **Water Pollution Control.** Administers the New Jersey Pollutant Discharge Eliminations System (NJPDDES) program, which protects New Jersey's ground and surface water quality by assuring the proper treatment and discharge of stormwater and wastewater from various types of facilities and activities. To accomplish this, permits are issued limiting the mass and concentration of pollutants which may be discharged into ground water, streams, rivers and the ocean. Management of residuals and the oversight of local pretreatment programs are also administered through the NJPDDES program. This program also regulates the construction of wastewater treatment facilities and sewer lines.
09. **Public Wastewater Facilities.** Administers the New Jersey Wastewater Treatment Financing program along with the New

Jersey Environmental Infrastructure Trust, an independent State financing authority. The program provides loans to local government units for the construction of wastewater treatment facilities through the Clean Water State Revolving Fund, with funds made available under the federal Clean Water Act and various State bond acts. Projects eligible for financial assistance include water and wastewater treatment plant upgrades or improvements, facilities for the beneficial reuse and treatment of sewage sludge, collection and conveyance facilities, on-site system rehabilitation, infiltration/inflow correction, combined sewer overflow and interconnection/cross-connection abatement projects. The Division of Water Quality and the Water Supply program are working in conjunction with the New Jersey Environmental Infrastructure Trust on the implementation of a Drinking Water State Revolving Fund (DWSRF) program. The DWSRF includes a financing program for water supply projects, which is similarly structured to that of the Wastewater Treatment Financing program.

15. **Land Use Regulation.** Protects and manages the State's land and water resources through the administration of riparian, waterfront development, stream encroachment, Coastal Area Facility Review Act (CAFRA), coastal wetlands and freshwater wetlands laws and regulations.
23. **Solid and Hazardous Waste Management.** Provides leadership, planning, education, and financial and technical assistance to enable citizens and businesses of the State to manage their wastes responsibly. Regulates the generation, storage, collection, transportation, processing, treatment, and disposal of solid and hazardous wastes. Regulations and standards are implemented and monitored through on-site construction inspections, design reviews, data collection, and permit issuance. Administers parts of the federal Resource Conservation and Recovery Act of 1976 (RCRA). Develops and implements programs to attain statewide recycling goals, and to reduce the quantities of waste generated. Monitors the solid waste collection industry to promote effective competition and to prohibit anti-competitive practices. Regulates and oversees mergers, acquisitions, and long-term financing arrangements of the solid waste utility industry.
70. **Clean Waters.** Administrative costs provided by the Clean Water State Revolving Fund. The Clean Water State Revolving Fund provides loans to local government units for the construction of wastewater treatment facilities. See related program classification 09 for further details.
80. **Drinking Water State Revolving Fund.** Set asides provided by the Drinking Water State Revolving Fund, including program administration, small system technical assistance, capacity development, operator certification, and source water protection activities. See related program classification 05 for further details.

EVALUATION DATA

PROGRAM DATA	Actual FY 1997	Actual FY 1998	Revised FY 1999	Budget Estimate FY 2000
Land Use Regulation				
Tidelands:				
Tidelands appraisals	400	300	240	300
Tidelands inspections (inquiries-search)	300	300	340	350
Solid and Hazardous Waste Management				
Annual tonnage of solid waste:				
Generated statewide	16,750,000	17,000,000	17,250,000	17,250,000
Generated per capita (lbs./person/day)	11	11	12	12
Recycled statewide	10,100,000	10,400,000	10,700,000	11,000,000

ENVIRONMENTAL PROTECTION

	Actual FY 1997	Actual FY 1998	Revised FY 1999	Budget Estimate FY 2000
Recycled per capita (lbs./person/day)	7	7	7	7
% reduction in solid waste stream due to recycling	60%	61%	62%	63%
Annual tonnage of hazardous waste generated statewide (RCRA)	280,050	287,805	295,781	295,000
Total tonnage hazardous waste:				
Notice of violations	21,164	27,886	27,383	27,000
Stored	64,324	66,088	92,513	93,000
Recycled	94,669	98,719	94,114	94,000
Incinerated	34,894	31,427	32,737	32,000
Other	64,999	63,685	49,034	49,000

PERSONNEL DATA

Position Data

Filled Positions by Funding Source

State Supported	584	564	593	627
Federal	54	53	45	55
All Other	49	47	41	53
Total Positions	687	664	679	735

Filled Positions by Program

Air Pollution Control	80	76	83	87
Water Supply and Watershed Management	106	111	112	129
Water Pollution Control	132	128	131	135
Public Waste Water Facilities	52	50	60	53
Land Use Regulation	125	121	127	148
Water Monitoring	6	5	---	---
Solid and Hazardous Waste Management	161	149	142	158
Clean Waters	25	24	24	25
Total Positions	687	664	679	735

Notes:

Actual payroll counts are reported for fiscal years 1997 and 1998 as of December, and revised fiscal year 1999 as of September. The Budget Estimate for fiscal year 2000 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1998					Year Ending June 30, 2000				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1999 Adjusted Approp.	Requested	Recom- mended	
Distribution by Program									
5,498	37	-23	5,512	5,325	02	5,807	5,807	5,807	
7,135	1,301	197	8,633	7,959	05	7,241	7,187	7,187	
7,409	1	-48	7,362	7,162	08	7,419	7,419	7,419	
628	118	---	746	745	09	2,782	2,782	2,782	
6,001	1,021	66	7,088	7,042	15	6,240	6,818	6,818	
<u>9,726</u>	<u>320</u>	<u>-53</u>	<u>9,993</u>	<u>9,591</u>	23	<u>9,886</u>	<u>9,966</u>	<u>9,966</u>	
36,397	2,798	139	39,334	37,824	Total Appropriation		39,375^(a)	39,979	39,979
Distribution by Fund and Object									
Direct State Services - General Fund									
Personal Services:									
<u>19,630</u>	---	-99	<u>19,531</u>	<u>19,281</u>		<u>21,322</u>	<u>21,971</u>	<u>21,971</u>	
19,630	---	-99	19,531	19,281		21,322	21,971	21,971	
561	---	-252	309	249		358	447	447	
4,966	1	154	5,121	4,953		4,090	3,867	3,867	
325	---	21	346	273		160	241	241	
Special Purpose:									
954	---	---	954	731					
					05	985	985	985	

ENVIRONMENTAL PROTECTION

Year Ending June 30, 1998					Year Ending June 30, 2000				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended		Prog. Class.	1999 Adjusted Approp.	Requested	Recommended
					All Other Funds				
---	109	---	109	88	Air Pollution Control	02	---	---	---
	224								
---	75 ^R	---	299	47	Water Supply and Watershed Management	05	2,082	1,930	1,930
	52								
---	2,038 ^R	---	2,090	2,038	Public Wastewater Facilities	09	1,455	1,199	1,199
---	1,997	---	1,997	10	Land Use Regulation	15	1,253	1,038	1,038
---	35	---	35	---	Water Monitoring and Planning	16	---	---	---
---	312	---	312	55	Solid and Hazardous Waste Management	23	1,163	1,134	1,134
	8								
---	2,010 ^R	---	2,018	2,018	Clean Waters	70	2,383	2,400	2,400
---	---	---	---	---	Drinking Water State Revolving Fund	80	<u>5,443</u>	<u>3,900</u>	<u>3,900</u>
---	<u>6,860</u>	---	<u>6,860</u>	<u>4,256</u>	Total All Other Funds		<u>13,779</u>	<u>11,601</u>	<u>11,601</u>
156,954	19,203	139	176,296	52,324	GRAND TOTAL		139,242	147,135	140,413

Notes

- (a) The fiscal year 1999 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Salary Increases and Other Benefits account.
- (b) Program expenditures for the Drinking Water State Revolving Fund are reflected off budget.
- (c) Program expenditures for the Clean Water State Revolving Fund are reflected off budget in the Wastewater Treatment Fund.

Language Recommendations -- Direct State Services - General Fund

The amounts hereinabove for the Administrative Costs Water Supply Bond Act of 1981 - Water Supply Management; Watershed and Aquifer; and Planning and Standards accounts are appropriated from the "Water Supply Bond Act of 1981," P.L.1981, c.261, together with an amount, not to exceed \$1,290,000, for costs attributable to administration of water supply programs, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the federal funds amount hereinabove for the Water Supply and Watershed Management program classification, such additional sums that may be received from the federal government for the Drinking Water State Revolving Fund program are appropriated.

Any funds received by the New Jersey Environmental Infrastructure Trust from any State agency to offset the Trust's annual operating expenses are appropriated.

In addition to the federal funds amount for the Public Wastewater Facilities program classification, such additional sums that may be received from the federal government for the Clean Water State Revolving Fund program are appropriated.

The amount hereinabove for the 1992 Wastewater Treatment Fund account is appropriated from the 1992 Wastewater Treatment Fund, created pursuant to the "Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992," P.L.1992, c.88, together with an amount not to exceed \$1,199,000, for costs attributable to the administration of wastewater treatment system projects, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Sanitary Landfill Facility Contingency Fund - Administration account is appropriated from the Sanitary Landfill Facility Contingency Fund, together with an amount not to exceed \$177,000, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Administration of Resource Recovery and Solid Waste Disposal Facility Fund account is appropriated from the Resource Recovery and Solid Waste Disposal Facility Fund, together with an amount not to exceed \$35,000, for administrative costs related to the Resource Recovery and Solid Waste Disposal Facility program, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of P.L.1981, c.278 (C.13:1E-92 et seq.), as amended by P.L.1985, c.533, the amount hereinabove for the Recycling of Solid Waste account is appropriated from the State Recycling Fund, together with an amount not to exceed \$375,000, for the administration of the Recycling of Solid Waste program, subject to the approval of the Director of the Division of Budget and Accounting. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

ENVIRONMENTAL PROTECTION

Notwithstanding the provisions of P.L.1985, c.533 (C.13:1E-99.1 et seq.) or any other law to the contrary, all sums in the Clean Communities Account Fund, other than the amounts appropriated from the fund for Parks Management to offset the cost of Parks' litter pickup program and for the Department of Transportation to offset the cost of litter pickup along State highways, shall be distributed as grants to municipalities and counties in accordance with the same criteria used for distribution of grants from the fund pursuant to the fiscal year 1996 appropriations act, P.L.1995, c.164, as determined by the Director of the Division of Budget and Accounting in consultation with the Commissioner of the Department of Environmental Protection.

There are appropriated from the State Recycling Fund and the Clean Communities Account Fund such sums as may be required to carry out the provisions of the "Clean Communities and State Recycling Act," P.L.1981, c.278, as amended by P.L.1985, c.533 (C.13:1E-92 et seq.).

There are appropriated from the Sanitary Landfill Facility Contingency Fund such sums as may be required to carry out the provisions of the "Sanitary Landfill Facility Closure and Contingency Fund Act," P.L.1981, c.306 (C.13:1E-100 et seq.).

Receipts deposited to the Resource Recovery Investment Tax Fund and the Solid Waste Services Tax Fund are appropriated. The unexpended balance as of June 30, 1999 in the Major Hazardous Waste Facilities Siting Act-Siting Commission account is appropriated.

The amount hereinabove for the Pollution Prevention account is appropriated from receipts received pursuant to the "Pollution Prevention Act," P.L.1991, c.235 (C.13:1D-35 et seq.), together with an amount not to exceed \$547,000, subject to the approval of the Director of the Division of Budget and Accounting, for administration of the Pollution Prevention program. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT 46. ENVIRONMENTAL PLANNING AND ADMINISTRATION

OBJECTIVES

1. To develop administrative policy, evaluate performance and coordinate program activities.
2. To support activities related to departmental planning, auditing, and legislative services.
3. To support a communication program which imparts the Department's mission to the public and to encourage public participation in the decision-making process.
4. To support the Department and its objectives in terms of the control of personnel, financial resources, general services, information systems and equipment.

PROGRAM CLASSIFICATIONS

26. **Regulatory and Governmental Affairs.** Coordinates the proposal and adoption of environmental rules and regulations. Serves as

central point of contact regarding State and federal legislation. Develops and executes public information, environmental education and communications strategies for the Department's programs. Serves as liaison to the Legislature as well as all county and municipal governmental officials.

99. **Administration and Support Services.** The Commissioner's office sets policies and develops short and long range plans and strategies; coordinates with governmental agencies; and provides legislative review and legal analysis. Provides, under the direction of the Assistant Commissioner of Management and Budget: general support services including personnel, payroll, purchasing, data processing, printing, training, word processing, program evaluation, and property control; and financial management, including budget, accounting, as well as responsibility for the fiscal control and financial monitoring of all General State Fund monies, federal funds, bond funds and tax accounts.

EVALUATION DATA

	Actual FY 1997	Actual FY 1998	Revised FY 1999	Budget Estimate FY 2000
PROGRAM DATA				
Administration and Support Services				
Male Minority	181	188	194	198
Male Minority %	5.8%	6.0%	6.1%	6.2%
Female Minority	230	232	235	239
Female Minority %	7.3%	7.4%	7.4%	7.5%
Total Minority	411	420	429	437
Total Minority %	13.1%	13.4%	13.5%	13.7%
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	308	296	299	311
Total Positions	308	296	299	311
Filled Positions by Program				
Regulatory and Governmental Affairs	43	38	41	41
Management and Administrative Services	265	258	258	270
Total Positions	308	296	299	311

Notes:

Actual payroll counts are reported for fiscal years 1997 and 1998 as of December, and revised fiscal year 1999 as of September. The Budget Estimate for fiscal year 2000 reflects the number of positions funded.

ENVIRONMENTAL PROTECTION

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1998					Year Ending June 30, 2000			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1999 Adjusted Approp.	Requested	Recom- mended
1,755	8	250	2,013	1,992	Distribution by Program			
22,430	3,490	-2,269	23,651	21,980	26	1,890	1,890	1,890
24,185	3,498	-2,019	25,664	23,972	99	<u>20,839</u>	<u>23,954</u>	<u>23,954</u>
					Total Appropriation			
						22,729^(a)	25,844	25,844
Distribution by Fund and Object								
Direct State Services - General Fund								
Personal Services:								
12,541	---	1,318	13,859	13,858	99	12,784	13,411	13,411
12,541	---	1,318	13,859	13,858	Salaries and Wages			
525	---	-368	157	122	Total Personal Services			
1,735	---	-150	1,585	1,524	99	280	169	169
579	---	-256	323	239	Materials and Supplies			
---	20	---	20	20	Services Other Than Personal			
---	25	---	25	25	Maintenance and Fixed Charges			
---	3,091	-1,705	1,386	1,386	99	186	149	149
98	---	---	98	98	Special Purpose:			
98	3,136	-1,705	1,529	1,529	Natural Resources Inventory			
2,720	362	-867	2,215	777	99	---	---	---
18,198	3,498	-2,028	19,668	18,049	99	---	---	---
					Ecotourism Development and Strategic Planning Task Force			
					Environmental Enhancement and Ecosystem Improvement			
					Affirmative Action and Equal Employment Opportunity			
					99	98	98	98
					Total Special Purpose			
					Additions, Improvements and Equipment			
					99	1,804	2,364	2,364
					Total Direct State Services - General Fund			
						16,626	17,685	17,685
Grants-In-Aid - General Fund								
---	---	---	---	---	New Jersey Citizens for Environmental Research - Aircraft Noise Abatement Study			
350	---	---	350	350	99	144	---	---
350	---	---	350	350	99	350	350	350
					Total Grants-In-Aid - General Fund			
						494	350	350
State Aid - General Fund								
468	---	---	468	468	99	470	470	470
2,100	---	---	2,100	2,029	Mosquito Control, Research, Administration and Operations			
2,654	---	9	2,663	2,663	99	2,320	4,520	4,520
165	---	---	165	163	Payment In Lieu of Taxes			
250 ^S	---	---	250	250	Administration, Planning and Development Activities of the Pinelands Commission			
5,637	---	9	5,646	5,573	99	2,654	2,654	2,654
					Grants to Local Environmental Commissions			
					Pinelands Economic Development			
					99	165	165	165
					Total State Aid - General Fund			
						5,609	7,809	7,809

ENVIRONMENTAL PROTECTION

Year Ending June 30, 1998					Year Ending June 30, 2000			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1999 Adjusted Approp.	Requested	Recommended
OTHER RELATED APPROPRIATIONS								
---	---	---	---	---		---	1,455	120
<u>82,703</u>	---	---	<u>82,703</u>	<u>82,693</u>		<u>104,640</u>	<u>92,649</u>	<u>92,649</u>
106,888	3,498	-2,019	108,367	106,665		127,369	119,948	118,613
Total Capital Construction								
Total Debt Service								
TOTAL STATE APPROPRIATIONS								
Federal Funds								
30 ^S	4	---	34	13	Regulatory and Governmental Affairs	26	30	50
<u>1,050</u>	<u>231</u>	---	<u>1,281</u>	<u>231</u>	Administration and Support Services	99	<u>750</u>	<u>750</u>
1,080	235	---	1,315	244	Total Federal Funds	780	800	800
All Other Funds								
---	---	---	---	---	Regulatory and Governmental Affairs	26	129	170
---	508	---	---	---	Administration and Support Services	99	---	---
<u>---</u>	<u>188^R</u>	<u>1,556</u>	<u>2,252</u>	<u>1,719</u>	Total All Other Funds	<u>178</u>	<u>228</u>	<u>228</u>
107,968	4,429	-463	111,934	108,628	GRAND TOTAL	128,456	121,146	119,811

Notes

(a) The fiscal year 1999 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Salary Increases and Other Benefits account.

Language Recommendations -- Grants-In-Aid - General Fund

The unexpended balance as of June 30, 1999 in the Black Fly Treatment - Delaware River account is appropriated.

Language Recommendations -- State Aid - General Fund

Receipts derived from the rental of property acquired pursuant to P.L.1969, c.138 (C.58:21A-1 et seq.); P.L.1970, c.147 (C.58:21B-1 et seq.); P.L.1971, c.165; P.L.1974, c.102; P.L.1978, c.118; P.L.1983, c.354; P.L.1989, c.183; P.L.1992, c.88; and P.L.1995, c.204, and the unexpended balance as of June 30, 1999 of such receipts, not to exceed \$100,000, are appropriated for payments in lieu of taxes on properties and for maintenance of properties.

Receipts derived from permit fees issued by the Pinelands Commission on behalf of the Department of Environmental Protection, pursuant to a memorandum of agreement between the Pinelands Commission and the Department of Environmental Protection, are hereby appropriated to the Pinelands Commission.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

47. ENFORCEMENT POLICY

OBJECTIVES

1. To protect public health and improve the environment by ensuring compliance with the State's rules and regulations concerning coastal and land use, air pollution, water resources, solid and hazardous waste, pesticides and toxic release prevention programs.
2. To assure consistency in enforcement policies, protocols and actions taken by the Department.
3. To provide compliance assistance to all businesses, with a special emphasis on small businesses and local governments.
4. To augment the Department's enforcement, inspection and monitoring activities under the County Environmental Health Act

by strengthening agreements with local health agencies to enforce environmental regulations.

5. To improve the quality of the State's beaches through cooperation with the Departments of Correction and Health and the Army Corps of Engineers in programs which reduce floatable debris and monitor ocean water quality.
6. To inspect, monitor, and report on the quality of surface and groundwater discharges in the State.
7. To protect the public and the environment of the State from any hazards resulting from the production, use, sale, storage or other activities related to pesticides.
8. To augment the health and welfare of the public by providing a comprehensive program to prevent releases of petroleum products and hazardous substances and by providing information regarding hazardous substances in the community and the workplace.

ENVIRONMENTAL PROTECTION

9. To survey hazardous substances inventory data from 33,000 facilities and actual release data of hazardous substances from 700 facilities.
10. To submit risk management plans detailing how to manage the risks involved with the handling and storage of extraordinarily hazardous substances whose release in the environment could cause death or permanent disability.

PROGRAM CLASSIFICATIONS

02. **Air Pollution Control.** Conducts investigations to determine compliance with the Air Pollution Control Act at regulated facilities. Issues enforcement documents and tracks, records and reports on associated administrative activities to ensure compliance. Develops enforcement cases, processes violations, assesses penalties and negotiates compliance schedules for these programs.
Release Prevention. Implements and ensures compliance with New Jersey's Community Right To Know and SARA Title III programs which gather information on the use, storage and release of toxic chemicals in the State and make information available to the public. Implements and ensures compliance with the "Toxic Catastrophe Prevention Act" to identify companies which handle extraordinarily hazardous substances and ensure that procedures are in place to prevent devastating accidental chemical releases. The Discharge Prevention Containment and Countermeasures (Oil Spill Prevention) program reduces the possibility of hazardous spills through plan submittals and compliance/investigative procedures.
04. **Pesticide Control.** Regulates the manufacture, distribution, storage, sale, possession, and use of pesticides. Complaint investigations and routine inspections are conducted. Compliance assistance and pollution prevention activities are performed through training and outreach. All pesticide products sold in the State are registered with this program. Pesticide applicators and dealers are certified and licensed, and permits are issued for mosquito/fly control and aquatic pesticide use. Monitoring and evaluation of pesticide hazards and laboratory analysis of pesticide samples are also conducted.

08. **Water Pollution Control.** Responsible for providing compliance assistance, conducting monitoring and investigations and issuance of enforcement actions in support of the water programs. The focus is particularly on inspections of wastewater dischargers and community drinking water supply facilities; prevention and correction of situations of non-compliance through a multifaceted compliance assistance program including outreach, education, and a Discharge Monitoring Report guidance manual; issuance of administrative and judicial enforcement actions for chronic or significant violations; and investigation of complaints relating to water resources. Monitors compliance with all permits issued under the New Jersey Pollutant Discharge Elimination System (NJPDDES) for surface water, ground water and indirect discharges to Publicly-Owned Treatment Works (POTW's). Formal enforcement actions are also issued for violations in the Water Allocation Program and against State certified laboratories which fail to comply with the laboratory certification program requirements.
15. **Land Use Regulation.** Conducts investigations and site inspections required to ensure compliance with State regulations and permits issued pursuant to the Freshwater Wetlands Protection Act, the Flood Hazard Area Control Act, the Coastal Area Facility Review Act, the Wetlands Act of 1970, the Dam Safety Act, and the Waterfront Development and Riparian Lands statutes. Responding to reports of alleged violations of the above statutes, the program advises individuals how to achieve and/or maintain compliance.
23. **Solid and Hazardous Waste Management.** Manages and conducts compliance and enforcement activities directed at ensuring that hazardous waste and used oil is collected, stored, transported, recycled and disposed of in an environmentally acceptable manner. Assures compliance with federal Resource Conservation and Recovery Act (RCRA) regulations. Activities include such compliance assistance functions as environmental audits, grace periods and supplemental environmental projects as well as conventional inspections and investigations, and when necessary, formal enforcement actions.

EVALUATION DATA

	Actual FY 1997	Actual FY 1998	Revised FY 1999	Budget Estimate FY 2000
PROGRAM DATA				
Air Pollution Control				
Investigations and inspections	6,863	6,583	6,900	6,900
Toxic Catastrophe Prevention				
Inspections	85	143	100	115
Accident investigations	2	3	3	3
Right To Know				
Information requests	2,271	3,057	2,400	2,400
Audits for facilities	836	857	960	960
Notice of violations	324	425	450	450
Pesticide Control				
Investigations and inspections	2,394	2,225	2,000	2,000
Pesticide products regulated	11,601	11,499	11,500	11,500
Pesticide licenses and permits	16,520	16,720	16,350	17,000
Water Pollution Control				
Inspections	3,451	3,652	3,400	3,700
Clean Shores:				
Miles of beaches cleaned	124	127	100	100
Tons of debris removed	2,550	2,727	2,500	2,500

ENVIRONMENTAL PROTECTION

	Actual FY 1997	Actual FY 1998	Revised FY 1999	Budget Estimate FY 2000
Land Use Regulation				
Investigations and inspections	2,500	2,538	2,600	2,600
Solid and Hazardous Waste Management				
Annual inspections	2,717	2,174	2,250	2,500
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	388	357	358	368
Federal	16	14	15	15
All Other	7	7	7	7
Total Positions	411	378	380	390
Filled Positions by Program				
Air Pollution Control	80	79	80	79
Environmental Safety and Health Analytical Programs	60	52	49	57
Pesticide Control	42	38	37	39
Water Pollution Control	119	98	98	100
Land Use Regulation	28	35	34	33
Solid and Hazardous Waste Management	82	76	82	82
Total Positions	411	378	380	390

Notes:

Actual payroll counts are reported for fiscal years 1997 and 1998 as of December, and revised fiscal year 1999 as of September. The Budget Estimate for fiscal year 2000 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1998					Year Ending June 30, 2000				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1999 Adjusted Approp.	Requested	Recom- mended	
Distribution by Program									
6,484	667	-350	6,801	6,796	02	7,566	7,604	7,604	
1,953	---	-67	1,886	1,861	04	1,925	1,925	1,925	
8,284	760	25	9,069	8,048	08	7,892	7,849	7,849	
1,529	276	5	1,810	1,788	15	1,700	1,643	1,643	
<u>3,664</u>	<u>16</u>	<u>-2</u>	<u>3,678</u>	<u>3,469</u>	23	<u>3,551</u>	<u>3,714</u>	<u>3,714</u>	
21,914	1,719	-389	23,244	21,962		22,634^(a)	22,735	22,735	
Distribution by Fund and Object									
Direct State Services - General Fund									
Personal Services:									
<u>11,850</u>	<u>---</u>	<u>-499</u>	<u>11,351</u>	<u>11,253</u>		<u>13,539</u>	<u>13,673</u>	<u>13,673</u>	
11,850	---	-499	11,351	11,253		13,539	13,673	13,673	
209	---	-133	76	70		136	167	167	
1,569	---	334	1,903	1,811		1,372	1,101	1,101	
446	---	4	450	385		286	432	432	
Special Purpose:									
809	---	-58	751	751	02	830	830	830	
911	126 ^R	---	1,037	1,037					
					02	949	949	949	
2,174	537 ^R	---	2,711	2,711	02	2,284	2,284	2,284	
375	---	-45	330	330	04	---	---	---	

ENVIRONMENTAL PROTECTION

Year Ending June 30, 1998					Year Ending June 30, 2000				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1999 Adjusted Approp.	Requested	Recom- mended	
360	360	-200	520	---		---	---	---	
<u>673</u>	<u>273^R</u>	<u>-2</u>	<u>944</u>	<u>942</u>	08	<u>711</u>	<u>711</u>	<u>711</u>	
5,302	1,296	-305	6,293	5,771	15	4,774	4,774	4,774	
85	23	10	118	19		74	135	135	
<u>19,461</u>	<u>1,319</u>	<u>-589</u>	<u>20,191</u>	<u>19,309</u>		<u>20,181</u>	<u>20,282</u>	<u>20,282</u>	
					Total Direct State Services - General Fund				
					State Aid - General Fund				
2,453	---	200	2,653	2,653		2,453	2,453	2,453	
---	400	---	400	---	08	---	---	---	
<u>2,453</u>	<u>400</u>	<u>200</u>	<u>3,053</u>	<u>2,653</u>		<u>2,453</u>	<u>2,453</u>	<u>2,453</u>	
					Total State Aid - General Fund				

OTHER RELATED APPROPRIATIONS

					Federal Funds				
2,928	539	---	3,467	2,862		1,802	1,802	1,802	
660	140	---	800	538	04	660	680	680	
529	79	---	608	324	15	457	493	493	
<u>1,886</u>	<u>148</u>	<u>---</u>	<u>2,034</u>	<u>1,630</u>		<u>1,886</u>	<u>1,886</u>	<u>1,886</u>	
<u>6,003</u>	<u>906</u>	<u>---</u>	<u>6,909</u>	<u>5,354</u>		<u>4,805</u>	<u>4,861</u>	<u>4,861</u>	
					Total Federal Funds				
					All Other Funds				
---	---	---	---	---	02	1,169	1,436	1,436	
---	1,782	---	---	---	08	1,000	1,000	1,000	
---	1,079 ^R	-115	2,746	966	15	372	437	437	
<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>		<u>2,541</u>	<u>2,873</u>	<u>2,873</u>	
<u>27,917</u>	<u>5,486</u>	<u>-504</u>	<u>32,899</u>	<u>28,282</u>		<u>29,980</u>	<u>30,469</u>	<u>30,469</u>	
					GRAND TOTAL				

Notes

(a) The fiscal year 1999 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Salary Increases and Other Benefits account.

Language Recommendations -- State Aid - General Fund

The unexpended balance as of June 30, 1999 in the Operation Clean Shores State Aid account is appropriated for state and local costs attributable to the Cooperative Coastal Monitoring Program, Sewerage Infrastructure Improvement Act monitoring of stormwater systems, and integrated Geographical Information System watershed baseline mapping.

Language Recommendations -- Direct State Services - General Fund

Notwithstanding the provisions of the "Worker and Community Right to Know Act," P.L.1983, c.315 (C.34:5A-1 et seq.), the amount hereinabove for the Worker and Community Right to Know Act account is payable out of the Worker and Community Right to Know Trust Fund, and that receipts in excess of the amount anticipated, not to exceed \$222,000, are appropriated. If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.

The amount hereinabove for the Oil Spill Prevention program is payable out of the New Jersey Spill Compensation Fund, and the receipts in excess of those anticipated, not to exceed \$947,000, from the New Jersey Spill Compensation Fund for the Oil Spill Prevention program are appropriated, in accordance with the provisions of P.L.1990, c.76 (C.58:10-23.11f2 et seq.), P.L.1990, c.78 (C.58:10-23.11d1 et seq.), and P.L.1990, c.80 (C.58:10-23.11f1), subject to the approval of the Director of the Division of Budget and Accounting.

ENVIRONMENTAL PROTECTION

Receipts deposited into the Coastal Protection Trust Fund pursuant to P.L.1993, c.168 (C.39:3-27.47 et seq.) are appropriated in an amount not to exceed \$600,000 for the cleanup or maintenance of beaches or shores, an amount not to exceed \$200,000 for the cost of providing monitoring, surveillance and enforcement activities for the Cooperative Coastal Monitoring Program, an amount not to exceed \$50,000 for the implementation of the "New Jersey Adopt a Beach Act," P.L.1992, c.213 (C.13:19-22 et seq.), and an amount not to exceed \$150,000 for a program of grants for the operation of a sewage pump-out boat and the construction of sewage pump-out devices for marine sanitation devices and portable toilet emptying receptacles at public and private marinas and boatyards in furtherance of the provisions of P.L.1988, c.117 (C.58:10A-56 et seq.). Receipts deposited to the Coastal Protection Trust Fund in excess of \$1,000,000 are appropriated to finance emergency shore protection projects and the cleanup of discharges into the ocean.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Language Recommendations -- Direct State Services - General Fund

The amounts hereinabove for the Safe Drinking Water Fund account are payable out of receipts, and receipts in excess of the amount anticipated, not to exceed \$868,000, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

The amounts hereinabove for the Tidelands Peak Demands account are appropriated from receipts derived from the sales, grants, leases, licensing, and rentals of State riparian lands, together with an amount not to exceed \$1,440,000, subject to the approval of the Director of the Division of Budget and Accounting. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

Notwithstanding any other law, the Commissioner of the Department of Environmental Protection shall obtain concurrence from the Director of the Division of Budget and Accounting before altering fee schedules or any other revenue-generating mechanism under the department's purview.

Notwithstanding the provisions of the "Environmental Fee Fund Accountability Act of 1991," P.L.1991, c.426 (C.52:27B-20.1 et seq.) and P.L.1991, c.427 (C.13:1D-9.1 et seq.), all revenues from fees and fines collected by the Department of Environmental Protection, unless otherwise dedicated herein, shall be deposited into the State General Fund without regard to their specific dedication.

Notwithstanding any other provisions in this act, of the Federal Fund amounts appropriated for the programs included in the Performance Partnership Grant Agreement with the Environmental Protection Agency, the Department of Environmental Protection is authorized to reallocate the appropriations, in accordance with the Grant Agreement and subject to the approval of the Director of the Division of Budget and Accounting.