

## 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, and protects and renews New Jersey's beaches. The fiscal 1997 budget recommendation of \$190.3 million, which includes \$168 million in Direct State Services monies, \$7.3 million in State Aid, and \$15 million in Capital monies, will allow the Department to continue most of its existing programs at the current level of service.

The Department's budget is organized along functional lines, including major sections for Enforcement, Environmental Regulations (Permitting), Site Remediation, Administration, and Natural Resources. This display reflects the fact that DEP's programs provide services which have common characteristics, and, therefore, may be grouped under broad functional headings. Since one Assistant Commissioner is responsible for each function, this streamlined arrangement yields a more unified, coordinated effort, particularly for DEP's regulatory programs.

A total of \$38 million is appropriated for DEP's permitting programs, including Air Pollution, Water Pollution, Hazardous Waste, Solid Waste, Water Supply, and Land Use Regulation. The Department is exploring ways to make the permitting process more responsive, timely, and efficient, in part by expanding the use of general permits, making greater use of new technology, and allowing applicants to draft their own permits.

DEP's major critical regulatory program is Air Pollution Control, for which the fiscal 1997 budget appropriates \$11.1 million for planning, permitting and enforcement functions. Since passage of the federal Clean Air Act Amendments of 1990, DEP has coordinated the State's efforts to comply with restrictions on carbon monoxide and ozone emissions. The Department has explored several innovative regulatory strategies. For example, industrial source emissions will be reduced through market-based incentives such as emissions trading rather than specific regulations. Through the Ozone Transport Commission, DEP interacts with neighboring states to pursue regional air quality solutions.

The Department has implemented a four-tiered strategy designed to attain solid waste self-sufficiency. This strategy includes source reduction, recycling, in-state landfill and, as a last resort, a combination of incineration and out-of-state disposal. Toward this goal, the Recycling program has attained a 55 percent recycling rate.

The long-term goal of the Site Remediation Program is to restore contaminated sites to protect human health and the environment. The fiscal 1997 budget includes \$31.2 million for staff costs associated with Site Remediation, nearly all of which is derived from non-State funding sources. DEP expects to authorize a total of \$160 million for 91 publicly-funded cleanup projects in fiscal 1997, funded principally from federal Superfund and State bond fund resources. For many of these cases, DEP and EPA will seek to recover the cost from responsible parties who have not settled to date. DEP will also oversee approximately 2,388 remediations funded by responsible parties. Thus, a total of 2,479 public and privately-funded projects will move forward in fiscal 1997.

The Enforcement Policy programs are revising the way they enforce the State's environmental regulations. DEP has established an Alternative Dispute Resolution process to decrease the number of enforcement actions which are adjudicated. This new approach should help to lessen the burden of fines on the regulated community in New Jersey. A total of \$13.3 million is appropriated for Enforcement activities in fiscal 1997.

The budget also provides continuation funding of \$50.8 million for DEP's Natural Resource programs, including the Division of Parks and Forestry. This level of funding will allow the state's parks to remain open to provide a wide range of recreational and educational opportunities ranging from hiking in the scenic Skylands to surf-fishing in the Atlantic to exploring historic villages.

Resources are also provided to protect our coastal areas. Shore protection funding needs are often the result of unpredictable harsh weather in the coastal regions. Hurricanes, storms, and tides dictate the types of projects conducted in any year, including beach nourishment, beach fill, artificial reef placement, and erosion control. DEP will receive a capital appropriation of \$15 million for these needs in fiscal 1997.

# ENVIRONMENTAL PROTECTION

## SUMMARY OF APPROPRIATIONS BY PROGRAM (thousands of dollars)

Year Ending June 30, 1995					Year Ending June 30, 1997		
Orig. & (S)Supple- mental	Reapp. & (R)Repts.	Transfers & (E)Emer- gencies	Total Available	Expended	1996 Adjusted Approp.	Requested	Recom- mended
394	984	-376	1,002	925	<b>Natural Resource Management</b>		
5,568	4	182	5,754	5,754	704	694	694
22,568	4,605	1,468	28,641	27,631	5,729	5,668	5,668
10,652	3,936	437	15,025	12,789	29,613	28,329	28,329
1,287	2	1	1,290	1,279	11,079	10,945	10,945
315	817	-1	1,131	665	Marina Operations		
1,375	1,645	---	3,020	2,500	1,307	1,287	1,287
2,012	2	434	2,448	2,448	319	312	312
44,171	11,995	2,145	58,311	53,991	2,063	1,792	1,792
					2,229	1,813	1,813
					<i>Subtotal</i>		
					53,043	50,840	50,840
					<b>Science and Technical Programs</b>		
4,977	2,323	-358	6,942	6,015	5,413	4,055	4,055
7,935	1,601	-636	8,900	8,812	7,303	6,974	6,974
2,687	2,777	-332	5,132	4,311	2,900	2,490	2,490
---	---	---	---	---	Radiation Protection		
826	1	216	1,043	1,041	479	479	479
2,027	1	249	2,277	2,205	1,113	1,096	1,096
844	---	244	1,088	1,082	2,295	2,250	2,250
1,401	---	40	1,441	1,441	360	360	360
20,697	6,703	-577	26,823	24,907	1,406	1,396	1,396
					<i>Subtotal</i>		
					21,269	19,100	19,100
					<b>Site Remediation</b>		
13,453	3,886	-132	17,207	16,644	13,114	11,652	11,652
---	2,743	1	2,744	71	---	---	---
21,187	14,828	-6,090	29,925	16,659	21,433	19,553	19,553
34,640	21,457	-6,221	49,876	33,374	<i>Subtotal</i>		
					34,547	31,205	31,205
					<b>Environmental Regulation</b>		
3,200	6,514	-3,698	6,016	5,432	5,488	5,466	5,466
4,677	7,302	-1,670	10,309	8,709	Air Pollution Control		
13,792	1,337	-1,663	13,466	12,164	7,823	7,195	7,195
---	622	---	622	620	8,922	7,579	7,579
9,670	2,772	-2,574	9,868	9,502	649	628	628
9,782	14,705	-8,169	16,318	11,283	6,585	6,069	6,069
5,538	2,202	-1,477	6,263	4,511	10,209	7,615	7,615
46,659	35,454	-19,251	62,862	52,221	4,350	3,416	3,416
					<i>Subtotal</i>		
					44,026	37,968	37,968
					<b>Environmental Planning and Administration</b>		
419	35	2,355	2,809	2,800	2,550	2,169	2,169
3,779	92	18,341	22,212	22,210	Regulatory and Governmental Affairs		
4,198	127	20,696	25,021	25,010	15,710	13,705	13,705
					<i>Subtotal</i>		
					18,260	15,874	15,874

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 1995					Year Ending June 30, 1997			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		1996 Adjusted Approp.	Requested	Recom- mended
3,501	33	1,011	4,545	4,518	<b>Enforcement Policy</b>			
4,443	6,795	-2,553	8,685	8,508	Air Pollution Control	2,782	2,532	2,532
1,079	---	270	1,349	1,334	Water Pollution Control	6,714	6,170	6,170
3,042	1,132	-983	3,191	3,159	Land Use Regulation	1,476	1,461	1,461
1,416	502	-117	1,801	1,568	Solid Waste Resource Management	2,230	1,959	1,959
					Hazardous Waste Management	1,361	1,152	1,152
<u>13,481</u>	<u>8,462</u>	<u>-2,372</u>	<u>19,571</u>	<u>19,087</u>	<i>Subtotal</i>	<u>14,563</u>	<u>13,274</u>	<u>13,274</u>
<u>163,846</u>	<u>84,198</u>	<u>-5,580</u>	<u>242,464</u>	<u>208,590</u>	<i>Total Appropriation</i>	<u>185,708</u>	<u>168,261</u>	<u>168,261</u>

# 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 improve the forest environment to provide for multiple use and minimize forest damage from wildfire, insects and disease.
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

10. **Marina Operations.** 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.
11. **Forest Resource Management.** Manages and protects the rural and urban forest resource of this State on 520,000 acres of state-owned forests, parks and wildlife areas and 1.5 million acres of woodland representing over 3000 private landowners. Encourages care and maintenance of the community forest with technical assistance to 567 communities. Prevents, manages and suppresses wildfire on or threatening 3.1 million acres of public or private forests, marshes or grasslands.
12. **Parks Management.** Operates and maintains existing State park, forest, recreation, natural, interpretive and historic facilities in a clean, safe and non-discriminatory manner for all visitors on a daily basis; 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.

13. **Hunters' and Anglers' License Fund.** Manages 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.** Maintains shellfish and marine resources of the State through research programs, the depositing of oyster shells in depleted beds and the transplanting of clams from polluted to clean waters. Oyster and clam grounds in the Delaware Bay and along the Atlantic coast are leased to the shellfish industry for harvesting. The Marine Fisheries Resource Management program protects the resource from environmental degradation and develops effective programs of species management for the benefit of recreational and commercial harvesters.
20. **Wildlife Management.** Conducts wildlife research to protect, manage, and use 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, seawalls, 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 1994	Actual FY 1995	Revised FY 1996	Budget Estimate FY 1997
<b>PROGRAM DATA</b>				
<b>Marina Operations</b>				
Marinas operated .....	4	4	4	4
Marina berths in service .....	1,070	1,070	1,070	1,070
<b>Forest Resource Management</b>				
Fires (annual) .....	1,601	1,742	1,825	1,875
Acres lost (annual) .....	3,422	21,538	9,870	11,590
Trees planted .....	764,000	700,000	700,000	700,000
Urban forest assists .....	478	408	480	500
Seedling production .....	775,000	609,000	600,000	650,000
<b>Parks Management</b>				
State parks and forests				
Total visitors .....	12,500,000	13,000,000	13,100,000	13,125,000
Total revenue .....	\$3,944,108	\$4,000,000	\$4,100,000	\$4,100,000
Historic sites .....	27	27	27	27
Visitors .....	365,000	370,000	370,000	370,000
Revenue .....	\$23,000	\$23,000	\$23,000	\$23,000
<b>Hunters' and Anglers' License Fund</b>				
Trout propagated and distributed .....	731,440	791,000	750,000	750,000
Pheasants reared at game farms .....	55,000	55,000	55,000	55,000
Other fish propagated and distributed .....	507,946	889,000	500,000	500,000
Quail reared at game farms .....	15,000	15,000	15,000	15,000
<b>Shellfish and Marine Fisheries Management</b>				
Licenses .....	16,588	17,696	17,700	18,000
<b>Natural Resources Engineering</b>				
Channel miles managed .....	400	400	400	400
<b>Palisades Interstate Park Commission</b>				
Park Attendance .....	1,925,242	1,950,000	1,950,000	1,950,000
Cars on parkway .....	23,936,435	24,500,000	24,500,000	24,500,000
Roads and paths (miles) .....	25	25	25	25
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
Filled Positions by Funding Source				
State Supported .....	793	767	845	870
Federal .....	35	30	33	31
All Other .....	100	109	19	7
Total Positions .....	928	906	897	908
Filled Positions by Program				
Marina Operations .....	17	17	17	17
Forest Resource Management .....	98	95	100	99
Parks Management .....	492	478	474	474
Hunters' and Anglers' License Fund .....	214	211	204	205
Shellfish and Marine Fisheries Management .....	37	36	37	37
Natural Resources Engineering .....	60	58	53	65
Wildlife Management .....	10	11	12	11
Total Positions .....	928	906	897	908

Note: Actual fiscal years 1994 and 1995 and Revised fiscal year 1996 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1997 reflects the number of positions funded.

# ENVIRONMENTAL PROTECTION

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1995					Year Ending June 30, 1997				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (B)Emergencies	Total Available	Expended	Prog. Class.	1996 Adjusted Approp.	Requested	Recommended	
394	984	-376	1,002	925					
5,568	4	182	5,754	5,754					
22,568	4,605	1,468	28,641	27,631					
10,652	3,936	437	15,025	12,789					
1,287	2	1	1,290	1,279					
315	817	-1	1,131	665					
1,375	1,645	---	3,020	2,500					
<u>2,012</u>	<u>2</u>	<u>434</u>	<u>2,448</u>	<u>2,448</u>					
<b>44,171</b>	<b>11,995</b>	<b>2,145</b>	<b>58,311</b>	<b>53,991</b>					
<b>Distribution by Program</b>									
					10	704	694	694	
					11	5,729	5,668	5,668	
					12	29,613	28,329	28,329	
					13	11,079	10,945	10,945	
					14	1,307	1,287	1,287	
					20	319	312	312	
					21	2,063	1,792	1,792	
					24	<u>2,229</u>	<u>1,813</u>	<u>1,813</u>	
						<b>53,043<sup>(a)</sup></b>	<b>50,840</b>	<b>50,840</b>	
<b>Distribution by Object</b>									
Personal Services:									
	576					36,107			
32,484	1,045 <sup>R</sup>	4,008	38,113	34,947		1,200 <sup>S</sup>	34,717	34,717	
---	---	---	---	2,338		---	---	---	
<u>32,484</u>	<u>1,621</u>	<u>4,008</u>	<u>38,113</u>	<u>37,285</u>		<u>37,307</u>	<u>34,717</u>	<u>34,717</u>	
	598								
3,867	26 <sup>R</sup>	57	4,548	3,682		3,501	3,853	3,853	
	326								
1,990	22 <sup>R</sup>	-59	2,279	2,104		2,208	2,137	2,137	
	519								
2,922	39 <sup>R</sup>	292	3,772	3,161		2,410	2,577	2,577	
Special Purpose:									
1,025	---	---	1,025	1,025	11	1,025	1,025	1,025	
	4								
---	420 <sup>R</sup>	---	424	353	12	431	420	420	
	---	---	---	---					
	---	---	---	---	12	60 <sup>S</sup>	---	---	
	4								
---	3,848 <sup>R</sup>	---	3,852	2,983	12	3,856	3,848	3,848	
22	---	---	22	22	12	22	22	22	
149	---	---	149	143	12	178	178	178	
90	---	---	90	87	12	90	90	90	
5	---	---	5	5	12	5	5	5	
20	---	---	20	20	12	20	20	20	
---	---	---	---	---	12	150	---	---	
---	---	---	---	---	12	22	---	---	
---	---	---	---	---	12	200	---	---	
	1,199								
---	1,138 <sup>R</sup>	-2,337	---	---	13	---	---	---	
	612								
315	205 <sup>R</sup>	-1	1,131	665	20	319	312	312	
---	---	---	---	---	21	250	---	---	
	126								
---	242 <sup>R</sup>	---	368	248	21	245	242	242	

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 1995					Year Ending June 30, 1997				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1996 Adjusted Approp.	Requested	Recommended	
---	332 <sup>R</sup>	---	332	209	21	272	263	263	
	69								
---	143 <sup>R</sup>	---	212	205	21	143	143	143	
1,626	8,342	-2,338	7,630	5,965		7,288	6,568	6,568	
	379								
1,282	123 <sup>R</sup>	185	1,969	1,794		329	988	988	

## OTHER RELATED APPROPRIATIONS

750	---	---	750	586	<i>Total State Aid</i>	---	---	---
<u>18,090</u>	<u>8,180</u>	<u>96</u>	<u>26,366</u>	<u>16,781</u>	<i>Total Capital Construction</i>	<u>18,300</u>	<u>24,923</u>	<u>15,000</u>
63,011	20,175	2,241	85,427	71,358	<i>Total General Fund</i>	71,343	75,763	65,840
<b>Federal Funds</b>								
						2,130		
2,130	548	---	2,678	1,436	Forest Resource Management	11	30 <sup>S</sup>	2,177
7,885								
11 <sup>S</sup>	307	---	8,203	650	Parks Management	12	8,685	7,575
9,410								
325 <sup>S</sup>	2,927	---	12,662	4,337	Hunters' and Anglers' License Fund	13	8,210	8,060
6,016								
32 <sup>S</sup>	702	---	6,750	996	Shellfish and Marine Fisheries Management	14	6,659	5,365
150	51	121	322	160	Natural Resources Engineering	21	200	150
<u>25,959</u>	<u>4,535</u>	<u>121</u>	<u>30,615</u>	<u>7,579</u>	<i>Total Federal Funds</i>	<u>25,914</u>	<u>23,327</u>	<u>23,327</u>
<b>All Other Funds</b>								
---	351	16	367	2	Marina Operations	10	---	---
	435							
---	304 <sup>R</sup>	-215	524	291	Parks Management	12	44	44
	6,041							
---	343 <sup>R</sup>	241	6,625	218	Hunters' and Anglers' License Fund	13	506	547
	217							
---	190 <sup>R</sup>	150	557	208	Shellfish and Marine Fisheries Management	14	186	231
	612							
---	576 <sup>R</sup>	29	1,217	461	Wildlife Management	20	554	591
	976							
---	3,448 <sup>R</sup>	---	4,424	4,098	Natural Resources Engineering	21	---	---
	2,415							
---	2,286 <sup>R</sup>	---	4,701	4,000	Palisades Interstate Park Commission	24	2,279	2,374
	18,194	221	18,415	9,278	<i>Total All Other Funds</i>	<u>3,569</u>	<u>3,787</u>	<u>3,787</u>
<u>88,970</u>	<u>42,904</u>	<u>2,583</u>	<u>134,457</u>	<u>88,215</u>	<b>GRAND TOTAL</b>	<b>100,826</b>	<b>102,877</b>	<b>92,954</b>

Note: (a) The fiscal year 1996 appropriation has been adjusted for the allocation of salary program, which includes \$142,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Employee Benefits and Salary and Other Benefits accounts.

## LANGUAGE RECOMMENDATIONS

Receipts in excess of the amount anticipated from fees and permit receipts from the use of State park and marina facilities are appropriated for Parks Management, subject to the approval of the Director of the Division of Budget and Accounting.

# ENVIRONMENTAL PROTECTION

Notwithstanding the provisions of N.J.S.A. 13:1E-99.1 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 amount hereinabove for the 1992 Historic Trust Administrative Costs account is appropriated from the "Historic Preservation Fund" established pursuant to the "New Jersey Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992", P.L. 1992, c.88, together with an amount not to exceed \$234,000 subject to the approval of the Director of the Division of Budget and Accounting, for costs attributable to planning, administrative, organization, and operating expenses related to historic preservation projects.

The amount hereinabove for the Green Acres Administration account is appropriated from the 1992 New Jersey Green Acres Fund and the 1992 New Jersey Green Trust Fund 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 \$1,983,000 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, 1996 of such receipts, are appropriated.

The amount hereinabove for the Hunters' and Anglers' License Fund is payable out of said Fund and any amount remaining therein and the unexpended balance as of June 30, 1996 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.

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, 1996, 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 \$1,122,000 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 Emergency Flood Control Administrative Costs account is appropriated from the "Emergency Flood Control Fund" created pursuant to P.L. 1978, c.78, together with an amount not to exceed \$203,000 subject to the approval of the Director of the Division of Budget and Accounting, for administrative costs related to this bond fund.

The amounts hereinabove for the Harbor Cleanup Administrative Costs and the Dam Repair Administrative Costs accounts are appropriated from the "Natural Resources Fund" created pursuant to P.L. 1980, c.70, together with an amount not to exceed \$257,000 subject to the approval of the Director of the Division of Budget and Accounting, for administrative costs related to these bond funds.

## 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 coordinate, plan and develop strategies for implementation of the Federal Clean Air Act.
3. 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.
4. To undertake applied scientific research, technical activities and policy development associated with human exposure to toxic substances, as well as other critical environmental issues identified by DEP. These activities are designed to meet the Department's information and problem-solving needs, and to identify emerging issues that require their attention and response.
5. To provide accurate and reliable analytical and research laboratory services for the measurement of organic, inorganic and radiological pollutants in air, water, soil, sludge, tissue, and other sample media.
6. To map, research, interpret and provide 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.
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 survey hazardous substances inventory data from 32,000 facilities and for actual release data of hazardous substances from 1,000 facilities. The survey data is used internally and by local agencies and citizens in developing community-based chemical emergency response plans.



9. 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. The Risk Management Plan requires a formal hazard analysis to identify and quantify potential points of release; followed by dispersion and consequence analysis to determine the effect of the release on the surrounding community and the measures that the facility has taken to prevent the release from occurring.
10. To establish and maintain policies and procedures for the generation, compilation, review and use of data of documented quality as required by the USEPA.
11. To certify the analytical capabilities of laboratories performing analyses in response to the State's environmental programs.

## PROGRAM CLASSIFICATIONS

01. **Radiation Protection.** Identifies the location and character of natural and man-made radiation sources, determines the 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 licenses, and inspects x-ray machines and radioactive material users, certifies x-ray technicians, nuclear medicine technicians, and radon testers and mitigators.
02. **Air Pollution Control.** Implements New Jersey's Community Right To Know and SARA Title III programs which gather information on the use, storage and release to the environment of toxic chemicals in the State. Implements the "Toxic Catastrophe Prevention Act," to identify companies which handle extraordinary hazardous substances and to ensure that procedures are in place to prevent devastating accidental chemical releases. The Discharge Prevention Controls and Countermeasures (Oil Spill Prevention) program reduces the possibility of hazardous spills and, if they occur, mitigates their consequences. Provides program coordination to comply with state and federal mandates to attain air quality standards, conducts air monitoring, planning analysis, and motor vehicle pollution control projects, and coordinates the development of regulations.
04. **Pesticide Control.** Enforces regulations concerning the manufacture, distribution, storage, sale, possession and use of pesticides, and registers all pesticide products sold in the State. This unit also certifies pesticide applicators, plans prevention and remediation of serious incidents, issues permits to dealers and inspects their establishments, investigates complaints or reported incidents, and conducts research to determine the effects and hazards of pesticides.
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 water quality monitoring (surface and ground water) 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 implementations 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.
18. **Science and Research.** Provides a fundamental science foundation for a wide range of departmental actions and standard setting activities. Scientific information needs of the department are met through applied research and technical evaluations; scientific investigations and technical assessments of toxic and carcinogenic contaminants; ecological risk assessment; detection and fate of pollutants in water, air and soils; innovative technologies for remediation of hazardous waste sites; coastal and estuarine water quality; and effective risk communication techniques. Develops human health criteria for toxic contaminant standards in potable water, ground water, surface water and soil (cleanup standards under the Industrial Site Recovery Act). Identifies emerging environmental issues (e.g., environmental indicators, comparative risk assessments, mercury contamination of the environment) meriting departmental attention.
22. **Water Quality Management.** Maps the geology and topography of the State, assesses mineral resources, 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. Also evaluates the supply potential and water quality of the State's aquifers, investigates groundwater pollution problems, and supports other State and municipal programs through geophysical studies and groundwater investigations.
90. **Management Policy and Planning.** Coordinates the departmental review and the issuance of comments on all environmental impact statements for major projects required by the National Environmental Policy Act and the Governor's Executive Order on environmental assessments.

# ENVIRONMENTAL PROTECTION

## EVALUATION DATA

	Actual FY 1994	Actual FY 1995	Revised FY 1996	Budget Estimate FY 1997
<b>PROGRAM DATA</b>				
<b>Radiation Protection</b>				
X-ray machine violations .....	977	1,700	1,300	1,300
Emergency event responses .....	28	31	32	32
Power plant inspections reviewed .....	50	55	55	55
Lung Cancers Avoided .....	---(a)	120	127	137
<b>Air Pollution Control</b>				
<b>Toxic Catastrophe Prevention</b>				
Compliance inspections .....	220	352	350	240
Accident investigations .....	3	4	4	4
New facility reviews .....	4	1	4	4
<b>Right To Know</b>				
Information requests .....	3,300	2,952	2,800	2,800
Audits for facilities .....	890	1,157	800	800
Notice of violations .....	295	597	600	600
<b>Pesticide Control</b>				
Investigations and inspections .....	1,581	1,709	1,500	1,500
Pesticide applicators certified for restricted pesticide use .....	9,720	9,948	9,800	9,800
Pesticide operators certified for restricted pesticide use .....	3,523	3,502	3,000	3,200
Environmental labs certified .....	950	912	950	1,050
Quality assurance actions .....	441	539	556	560
<b>Water Monitoring and Planning</b>				
Ambient fresh water quality samples analyzed .....	1,181	1,869	2,294	2,250
<b>Ambient Marine Water:</b>				
Water samples analyzed .....	14,800	14,000	14,000	15,000
Harvest shellfish bed acres evaluated .....	700,000	700,000	700,000	700,000
Percent of shellfish bed acres open .....	74	75	76	77
Percent of shellfish bed acres seasonal .....	3	3	3	3
Percent of shellfish bed acres condemned .....	15	14	14	13
Percent of shellfish bed acres specially restricted .....	8	8	7	7
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
<b>Filled Positions by Funding Source</b>				
State Supported .....	310	294	344	306
Federal .....	90	79	44	53
All Other .....	12	10	7	8
Total Positions .....	412	383	395	367
<b>Filled Positions by Program</b>				
Land Use Regulation .....	8	8	8	8
Management Policy and Planning .....	41	31	29	43
Science and Research .....	41	28	36	24
Air Pollution Monitoring .....	73	65	67	69
Radiation Protection .....	83	75	79	68
Air Pollution Control .....	68	67	60	56
Pesticide Control .....	48	51	57	44
Water Monitoring .....	38	44	42	40
Water Quality Management .....	12	14	17	15
Total Positions .....	412	383	395	367

Note: Actual fiscal years 1994 and 1995 and Revised fiscal year 1996 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1997 reflects the number of positions funded.

(a) Data not available in fiscal year 1994.

# ENVIRONMENTAL PROTECTION

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1995					Year Ending June 30, 1997				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1996 Adjusted Approp.	Requested	Recom- mended	
<b>Distribution by Program</b>									
4,977	2,323	-358	6,942	6,015	01	5,413	4,055	4,055	
7,935	1,601	-636	8,900	8,812	02	7,303	6,974	6,974	
2,687	2,777	-332	5,132	4,311	04	2,900	2,490	2,490	
---	---	---	---	---	05	479	479	479	
826	1	216	1,043	1,041	07	1,113	1,096	1,096	
2,027	1	249	2,277	2,205	18	2,295	2,250	2,250	
844	---	244	1,088	1,082	22	360	360	360	
<u>1,401</u>	<u>---</u>	<u>40</u>	<u>1,441</u>	<u>1,441</u>	90	<u>1,406</u>	<u>1,396</u>	<u>1,396</u>	
<b>20,697</b>	<b>6,703</b>	<b>-577</b>	<b>26,823</b>	<b>24,907</b>		<b>21,269<sup>(a)</sup></b>	<b>19,100</b>	<b>19,100</b>	
<b>Distribution by Object</b>									
Personal Services:									
9,153	2,392 2,123 <sup>R</sup>	-616	13,052	10,244		9,334	7,735	7,735	
---	---	---	---	1,300		---	---	---	
9,153	4,515	-616	13,052	11,544		9,334	7,735	7,735	
351	19	-40	330	328		629	495	495	
2,402	82	392	2,876	2,824		2,341	1,988	1,988	
409	8	-7	410	408		493	456	456	
Special Purpose:									
1,800						1,687			
600 <sup>S</sup>	285	-17	2,668	2,498	01	600 <sup>S</sup>	1,658	1,658	
	4								
1,549	373 <sup>R</sup>	-549	1,377	1,342	02	830	811	811	
1,000	500 <sup>R</sup>	-223	1,277	1,277	02	920	911	911	
2,151	649 <sup>R</sup>	-150	2,650	2,600	02	2,163	2,174	2,174	
	223								
300	37 <sup>R</sup>	435	995	922	04	896	877	877	
---	---	---	---	---	05	479	479	479	
---	---	---	---	---	18	---	700	700	
<u>500</u>	<u>---</u>	<u>---</u>	<u>500</u>	<u>478</u>	18	<u>500</u>	<u>500</u>	<u>500</u>	
7,900	2,071	-504	9,467	9,117		8,075	8,110	8,110	
482	8	198	688	686		397	316	316	

## OTHER RELATED APPROPRIATIONS

Federal Funds									
1,324									
9 <sup>S</sup>	---	---	1,333	170	01	1,400	788	788	
2,605	189	---	2,794	2,044	02	2,435	2,435	2,435	
486	---	---	486	230	04	553	553	553	
4,200	388	-113	4,475	2,208	07	4,200	4,200	4,200	
---	12	959	971	113	15	1,211	1,211	1,211	
2,110									
240 <sup>S</sup>	85	---	2,435	318	18	4,746	2,700	2,700	
300	---	---	300	100	22	350	350	350	
<u>3,900</u>	<u>13</u>	<u>-138</u>	<u>3,775</u>	<u>1,945</u>	90	<u>4,000</u>	<u>4,275</u>	<u>4,275</u>	
						222 <sup>S</sup>			
<b>15,174</b>	<b>687</b>	<b>708</b>	<b>16,569</b>	<b>7,128</b>		<b>19,117</b>	<b>16,512</b>	<b>16,512</b>	

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 1995					Year Ending June 30, 1997				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1996 Adjusted Approp.	Requested	Recom- mended	
					<b>All Other Funds</b>				
---	12,274	-4	12,270	8,476	Radiation Protection	01	275	525	525
---	39	---	39	15	Water Monitoring and Planning	07	31	25	25
---	556	---	---	---	---	---	---	---	---
---	382 <sup>R</sup>	---	938	207	Science and Research	18	499	441	441
---	2,304	---	---	---	---	---	---	---	---
---	21 <sup>R</sup>	---	2,325	548	Water Quality Management	22	26	---	---
---	15,576	-4	15,572	9,246	<b>Total All Other Funds</b>		831	991	991
35,871	22,966	127	58,964	41,281	<b>GRAND TOTAL</b>		41,217	36,603	36,603

- Notes: (a) The fiscal year 1996 appropriation has been adjusted for the allocation of salary program, which includes \$69,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Employee Benefits and Salary and Other Benefits accounts.
- (b) Supplemental appropriations in fiscal years 1995 and 1996 correspond to language appropriations in each year.
- (c) Science and Research's allocation of the Safe Drinking Water Fund for fiscal year 1995 is included in Statewide Category 45, Environmental Regulation, under Water Supply and Watershed Management.

## LANGUAGE RECOMMENDATIONS

There is allocated from the Commercial Vehicle Enforcement Fund, created pursuant to P.L. 1995, c.157 (C.39:8-59), 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, created pursuant to P.L. 1995, c.112 (C.39:8-41) 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, 1996 in the Nuclear Emergency Response account, together with receipts in excess of the amount anticipated, not to exceed \$1,018,000, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

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 \$241,000, 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 Spill Compensation Fund, and the receipts in excess of those anticipated, not to exceed \$1,178,000, from the 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.

## 40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

### 44. SITE REMEDIATION

#### OBJECTIVES

- To remediate sites contaminated by man-made hazardous substances and pollutants to benefit 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 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.

# ENVIRONMENTAL PROTECTION

5. To respond to emergency discharges of hazardous substances and pollutants in the State, and to operate the Department's communication center so that environmental emergencies can be reported by the public.
6. To maximize the use of private-party funds by having responsible parties conduct remedial work with Department oversight, or to pay the Department to conduct remedial work.
7. 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.
8. To compensate persons impacted by discharges of hazardous substances through the environmental claims program, supported by the Spill Compensation Fund, and to administer the Sanitary Landfill Contingency Fund claims program.

## PROGRAM CLASSIFICATIONS

19. **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 found or will not perform. Its powers have been expanded through amendments to the Spill Fund Compensation and Control Act (P.L. 1979, c.346) to respond to a broad class of hazardous substance discharges. The major ramifications of these

amendments are the ability to identify and remedy abandoned contaminated sites, and the mitigation of imminent discharge hazards. Remedial projects generally go through the following project cycle: Preliminary Assessment/ Site Investigation; Remedial Investigation and Feasibility Study; Design; Construction; and Operation and Maintenance. These activities are supported by a combination of federal (Superfund) and state funds.

22. **Water Quality Management.** Administers the Ground Water Pollution Abatement portion of the New Jersey Pollutant Discharge Elimination System (NJPDDES) through the monitoring of active discharges, the processing of ground water remediation, and the evaluation of post discharge activity.
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 coordinates with the USEPA and other federal agencies on federal facility sites, National Priority List sites, and other emergency and long-term remedial sites.

## EVALUATION DATA

### PROGRAM DATA

#### Responsible Party Site Remediation

##### ISRA:

	Actual FY 1994	Actual FY 1995	Revised FY 1996	Budget Estimate FY 1997
Negative declarations .....	525	2,142	2,200	2,200
Remedial action workplan approvals .....	41	1,032	1,050	1,050
Remediations monitored .....	390	4,000	4,000	4,000
Remediations completed .....	61	2,142	2,000	2,000

##### Discharge Response Element:

Emergency responses .....	1,238	1,271	1,576	1,600
Remediations monitored .....	1,684	2,225	1,819	2,300
Remediations completed .....	784	2,162	840	850

##### Responsible Party Cleanup Element:

Remedial action workplan approvals .....	90	134	172	200
Remediations monitored .....	469	504	613	650
Remediations completed .....	12	25	56	65

##### Underground Storage Tanks:

Closure Approvals .....	4,225	13,498	10,000	12,000
Remediations monitored .....	3,012	6,100	7,000	8,000
Remediations completed .....	1,091	2,596	3,000	5,000

### PERSONNEL DATA

#### Position Data

##### Filled Positions by Funding Source

	613	572	537	487
State Supported .....	26	26	27	28
Federal .....	639	598	564	515
Total Positions .....				

# ENVIRONMENTAL PROTECTION

	Actual FY 1994	Actual FY 1995	Revised FY 1996	Budget Estimate FY 1997
Filled Positions by Program				
Publicly-Funded Site Remediation .....	228	211	196	163
Hazardous Waste Management .....	3	6	6	5
Responsible Party Site Remediation .....	408	381	362	347
Total Positions .....	639	598	564	515

Note: Actual fiscal years 1994 and 1995 and Revised fiscal year 1996 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1997 reflects the number of positions funded.

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1995					Year Ending June 30, 1997			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1996 Adjusted Approp.	Requested	Recom- mended
13,453	3,886	-132	17,207	16,644	<b>Distribution by Program</b>			
---	2,743	1	2,744	71	19	13,114	11,652	11,652
<u>21,187</u>	<u>14,828</u>	<u>-6,090</u>	<u>29,925</u>	<u>16,659</u>	22	---	---	---
34,640	21,457	-6,221	49,876	33,374	27	<u>21,433</u>	<u>19,553</u>	<u>19,553</u>
						<b>34,547<sup>(a)</sup></b>	<b>31,205</b>	<b>31,205</b>
					<b>Distribution by Object</b>			
					<b>Personal Services:</b>			
8,561	3,768 <sup>R</sup>	-170	12,159	9,559		7,906	5,069	5,069
---	---	---	---	2,600		---	---	---
<u>8,561</u>	<u>3,768</u>	<u>-170</u>	<u>12,159</u>	<u>12,159</u>		<u>7,906</u>	<u>5,069</u>	<u>5,069</u>
364	---	-7	357	357		315	325	325
1,313	---	-217	1,096	1,096		2,295	2,426	2,426
1,454	---	44	1,498	1,498		491	722	722
					<b>Special Purpose:</b>			
4,641	35 485 <sup>R</sup>	---	5,161	4,599	19	5,485	5,377	5,377
1,530	6 372 <sup>R</sup>	---	1,908	1,907	19	1,527	1,441	1,441
---	---	---	---	---	19	30	---	---
---	2,743	1	2,744	71	22	---	---	---
14,570	8,430 <sup>R</sup>	-5,278	17,722	7,665	27	14,751	14,428	14,428
20	---	---	20	20	27	---	---	---
564	1,198 1,110 <sup>R</sup>	-213	2,659	819	27	524	399	399
189	---	---	---	---	27	923	698	698
<u>983</u>	<u>2,239<sup>R</sup></u>	<u>-421</u>	<u>2,990</u>	<u>1,627</u>		<u>23,240</u>	<u>22,343</u>	<u>22,343</u>
22,308	16,807	-5,911	33,204	16,708				
640	882	40	1,562	1,556		300	320	320

## OTHER RELATED APPROPRIATIONS

350	---	---	350	350	<i>Total State Aid</i>	---	---	---
---	1,465	---	1,465	600	<i>Total Capital Construction</i>	---	---	---
<u>34,990</u>	<u>22,922</u>	<u>-6,221</u>	<u>51,691</u>	<u>34,324</u>	<i>Total General Fund</i>	<u>34,547</u>	<u>31,205</u>	<u>31,205</u>

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 1995					Year Ending June 30, 1997				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1996 Adjusted Approp.	Requested	Recom- mended	
100,000	1,745	---	101,745	1,745	<b>Federal Funds</b>				
360	41	---	401	291	Publicly-Funded Site Remediation	19	100,000	100,000	100,000
7,300	1,963	---	9,263	1,966	Hazardous Waste Management	23	360	360	360
					Responsible Party Site Remediation	27	<u>7,300</u>	<u>7,850</u>	<u>7,850</u>
<b>107,660</b>	<b>3,749</b>	<b>---</b>	<b>111,409</b>	<b>4,002</b>	<i>Total Federal Funds</i>		<b>107,660</b>	<b>108,210</b>	<b>108,210</b>
					<b>All Other Funds</b>				
---	50	---	50	---	Publicly-Funded Site Remediation	19	---	---	---
---	50	---	50	---	<i>Total All Other Funds</i>		---	---	---
<b>142,650</b>	<b>26,721</b>	<b>-6,221</b>	<b>163,150</b>	<b>38,326</b>	<b>GRAND TOTAL</b>		<b>142,207</b>	<b>139,415</b>	<b>139,415</b>

Note: (a) The fiscal year 1996 appropriation has been adjusted for the allocation of salary program, which includes \$642,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Employee Benefits and Salary and Other Benefits accounts.

## LANGUAGE RECOMMENDATIONS

In addition to site specific charges, the amount hereinabove for the Publicly-Funded Site Remediation and the Responsible Party Site Remediation accounts, excluding the Hazardous Waste Bond Administrative Costs, the Hazardous Discharge Site Cleanup Fund-Responsible Party, the Industrial Site Recovery Act, and the Underground Storage Tank accounts, is 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 \$4,983,000, 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 the Hazardous Waste Bond Administrative Costs account is appropriated from the Hazardous Discharge Fund of 1986, created pursuant to section 14 of the "Hazardous Discharge Fund Bond Act of 1986," P.L. 1986, c.113, together with an amount not to exceed \$4,451,000 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 the Spill Prevention, Response and Site Cleanup, Non-Site Specific Costs account is appropriated from the New Jersey Spill Compensation Fund, together with receipts in excess of those anticipated, not to exceed \$857,000, subject to the approval of the Director of the Division of Budget and Accounting.

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 \$8,584,000, 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.

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

Notwithstanding the provisions of subsection c. of section 17 of P.L.1986, c.102 (C.58:10A-36), monies in the State Underground Storage Tank Improvement Fund shall be available for the purpose of making loans pursuant to that section.

### 40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

#### 45. ENVIRONMENTAL REGULATION

##### OBJECTIVES

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. To assure a safe and dependable supply of water.</li> <li>2. To monitor and report on the biological, chemical and physical quality of surface waters, ground waters and sediments in the State and to monitor NJPDES permit compliance in order to develop water quality standards and</li> </ol> | <ol style="list-style-type: none"> <li>programs and to evaluate the effectiveness of existing regulatory programs for the protection and improvement of New Jersey's water quality.</li> <li>3. To make decisions that carry out the purposes and requirements of the enabling legislation and regulations.</li> <li>4. To conduct reviews of permit applications in a manner that promotes meaningful public input.</li> </ol> |
|--|---|

# ENVIRONMENTAL PROTECTION

5. To develop procedural and regulatory changes as well as non-regulatory studies and outreach efforts to expand the consideration 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.
7. To find opportunities to make permit reviews efficient while maintaining or improving protection of the environment and to eliminate procedures and requirements that do not lead to greater environmental protection, and to consolidate the reviews of multiple permit 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, recycling and composting facilities; and to ensure that reasonable rates are charged in New Jersey for solid waste collection and disposal operations.

## 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 certificates to operate; validates tax exemption claims for air pollution control equipment; conducts stack tests to determine air contaminant emissions; reviews continuous emission monitoring instrumentation; reviews and conducts air quality modeling studies of major new sources of air contamination; 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.
08. **Water Pollution Control.** Administers the New Jersey Pollutant Discharge Elimination System (NJPDDES) permit program and monitors facilities which discharge industrial waste, sanitary wastewater, non-contact cooling water, decontaminated groundwater, stormwater runoff or other types of treated and untreated wastewater discharged to the surface waters of the State. Management of residuals and the oversight of local pre-treatment 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 Federal and State construction grant and loan programs, including the evaluation of planning, design and construction of municipal wastewater collection, conveyance, treatment and disposal facilities. Also processes applications for Federal and State grants and loans, and advises municipalities and sewerage authorities on grant and loan specifications and procedures.
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.
17. **Solid Waste Resource Management.** Supervises the collection, processing, reduction and disposal of solid waste. Through the rate approval process, controls charges paid for solid waste collection services. Regulates and oversees mergers and acquisitions as well as long term financing arrangements for the solid waste utility industry. Regulations and standards are implemented through on-site construction inspections, design-reviews, monitoring and the permitting of collection, processing and disposal operations. Meeting the 60% recycling goal is encouraged through the development and implementation of comprehensive state and district solid waste management plans and implementation of a statewide recycling program. Also administers the Comprehensive Regulated Medical Waste Management Act (P.L. 1989, c.34), and grant and loan programs authorized pursuant to the 1980 Natural Resources Bond Act, Solid Waste Services and Resource Recovery Investment Tax Program (P.L. 1985, c.38), the Resource Recovery and Solid Waste Disposal Facility Bond Act (P.L. 1985, c.330), the State Recycling Act (P.L. 1987, c.102) and the Clean Communities Act (P.L. 1985, c.533).
23. **Hazardous Waste Management.** Regulates the generation, storage, collection, transportation, treatment and disposal of hazardous waste. The Office of Pollution Prevention is conducting a multi-media, facility-wide permit pilot program.

## EVALUATION DATA

PROGRAM DATA	Actual FY 1994	Actual FY 1995	Revised FY 1996	Budget Estimate FY 1997
<b>PROGRAM DATA</b>				
<b>Land Use Regulation</b>				
Waterfront Development:				
Tidelands appraisals .....	800	600	500	500
Tidelands inspections (inquiries-search) .....	680	400	400	400
<b>Solid Waste Resource Management</b>				
Recycling tonnage grants .....	554	510	540	540
Clean Communities grants .....	538	529	530	535
Annual Tonnage:				
Generated Statewide .....	15,350	15,400	15,400	15,400
Generated per capita (Lbs./Person/Day) .....	10	10	10	10
Source Reduced .....	650,000	740,000	740,000	740,000
Recycled Statewide .....	9,500,000	9,900,000	10,200,000	10,300,000



# ENVIRONMENTAL PROTECTION

	Actual FY 1994	Actual FY 1995	Revised FY 1996	Budget Estimate FY 1997
Recycled per capita (Lbs./Person/Day) .....	7	7	7	7
% reduction in Solid Waste stream due to source reduction efforts .....	4	5	5	5
% reduction in Solid Waste stream due to recycling .....	62	64	66	67
<b>Hazardous Waste Management</b>				
Annual tonnage of hazardous waste generated statewide (RCRA) .....	414,704	380,191	367,468	367,500
Total tonnage hazardous waste:				
Notice of violations .....	61,881	24,006	32,096	27,652
Stored .....	83,110	86,445	85,073	84,320
Recycled .....	139,272	126,257	126,512	124,283
Incinerated .....	47,142	51,020	42,423	45,872
Other .....	83,298	92,462	81,364	85,373
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
Filled Positions by Funding Source				
State Supported .....	662	625	688	601
Federal .....	86	88	60	65
All Other .....	146	148	51	50
Total Positions .....	894	861	799	716
Filled Positions by Program				
Water Supply and Watershed Management .....	140	135	122	109
Air Pollution Control .....	81	82	80	83
Water Pollution Control .....	190	186	166	143
Public Waste Water Facilities .....	32	33	29	31
Land Use Regulation .....	148	141	136	127
Water Monitoring .....	6	6	6	5
Solid Waste Resource Management .....	162	140	121	95
Hazardous Waste Management .....	87	89	88	73
Clean Waters .....	48	49	51	50
Total Positions .....	894	861	799	716

Note: Actual fiscal years 1994 and 1995 and Revised fiscal year 1996 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1997 reflects the number of positions funded.

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1995					Year Ending June 30, 1997				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1996 Adjusted Approp.	Requested	Recom- mended	
<b>Distribution by Program</b>									
3,200	6,514	-3,698	6,016	5,432	02	5,488	5,466	5,466	
4,677	7,302	-1,670	10,309	8,709	05	7,823	7,195	7,195	
13,792	1,337	-1,663	13,466	12,164	08	8,922	7,579	7,579	
---	622	---	622	620	09	649	628	628	
9,670	2,772	-2,574	9,868	9,502	15	6,585	6,069	6,069	
9,782	14,705	-8,169	16,318	11,283	17	10,209	7,615	7,615	
<u>5,538</u>	<u>2,202</u>	<u>-1,477</u>	<u>6,263</u>	<u>4,511</u>	23	<u>4,350</u>	<u>3,416</u>	<u>3,416</u>	
46,659	35,454	-19,251	62,862	52,221	<u>44,026<sup>(a)</sup></u>		37,968	37,968	

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 1995					Year Ending June 30, 1997			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1996 Adjusted Approp.	Requested	Recommended
					Distribution by Object			
					Personal Services:			
24,094	10,091							
2,166 <sup>S</sup>	15,449 <sup>R</sup>	-12,187	39,613	25,148		23,227	19,724	19,724
---	---	---	---	6,171	Salaries and Wages			
26,260	25,540	-12,187	39,613	31,319	Employee Benefits	---	---	---
348	199	242	789	749	Total Personal Services	23,227	19,724	19,724
5,535	511	915	6,961	6,961	Materials and Supplies	735	566	566
1,424	358	-678	1,104	1,083	Services Other Than Personal	8,103	6,646	6,646
---	753 <sup>R</sup>	---	753	731	Maintenance and Fixed Charges	424	336	336
---	11	---	---	---	Special Purpose:			
---	1,777 <sup>R</sup>	-22	1,766	1,684	Administrative Costs Water Supply Bond Act of 1981 - Management	05	959	954
---	24	---	---	---	Administrative Costs Water Supply Bond Act of 1981 - Watershed and Aquifer	05	1,227	1,213
---	831 <sup>R</sup>	---	855	551	Administrative Costs Water Supply Bond Act of 1981 - Planning and Standards	05	813	800
70	532	---	741	21	Water/Wastewater Operators Licenses	05	43	43
58	139 <sup>R</sup>	---	58	57	Office of the Rivermaster	05	58	58
1,950	---	-707	2,704	2,442	Safe Drinking Water Fund	05	1,487	1,457
---	1,461 <sup>R</sup>	---	---	---	Public Waste Water Facilities Bond	09	649	628
---	621 <sup>R</sup>	---	622	620	Environmental Permit Stabilization	15	---	---
4,500	---	-4,500	---	---	Tidelands Resource Council	15	25	25
25	---	---	25	25	Tidelands Peak Demands	15	1,829	1,799
1,600	972 <sup>R</sup>	-641	1,931	1,931	Sanitary Landfill Facility Contingency Fund-Administration	17	418	399
190	60 <sup>R</sup>	---	250	104	Administration of Resource Recovery and Solid Waste Disposal Facility Fund	17	224	224
---	243 <sup>R</sup>	---	243	145	Recycling of Solid Waste	17	943	919
1,332	500 <sup>R</sup>	-566	1,266	1,227	Clean Communities-Administration	17	299	---
368	150 <sup>R</sup>	-94	424	312	Pollution Prevention	23	1,584	1,565
---	2	---	---	---	Major Hazardous Waste Facilities Siting Act-Siting Commission	23	225	---
1,625	475 <sup>R</sup>	-318	1,784	1,425	Total Special Purpose		10,783	10,084
225	109	---	334	259	Additions, Improvements and Equipment		754	612
11,943	8,661	-6,848	13,756	11,534				
1,149	185	-695	639	575				

## OTHER RELATED APPROPRIATIONS

100	20,334	735	21,169	100	Total State Aid	---	---	---
7,600	13,316	---	20,916	1,345	Total Capital Construction	---	7,660	---
54,359	69,104	-18,516	104,947	53,666	Total General Fund	44,026	45,628	37,968
					Federal Funds			
1,285	---	---	1,285	1,186	Air Pollution Control	02	1,285	1,285
13,500	---	---	13,500	1,214	Water Supply and Watershed Management	05	13,760	13,760
167,800	1,012	---	168,812	1,088	Public Wastewater Facilities	09	86,200	48,336

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 1995					Year Ending June 30, 1997				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1996 Adjusted Approp.	Requested	Recommended	
4,991	396	-963	4,424	1,617		1,730	1,657	1,657	
2,175	155	---	2,330	431	Land Use Regulation	15	2,175	2,175	
895	391	---	1,286	391	Water Monitoring and Planning	16	---	---	
<u>2,385</u>	<u>692</u>	<u>---</u>	<u>3,077</u>	<u>2,544</u>	Solid Waste Resource Management	17	1,575	---	
193,031	2,646	-963	194,714	8,471	Hazardous Waste Management	23	2,468	2,035	
					<b>Total Federal Funds</b>		<b>109,193</b>	<b>69,248</b>	
							<b>69,248</b>	<b>69,248</b>	
					<b>All Other Funds</b>				
---	250	---	264	8	Water Supply and Watershed Management	05	125	125	
---	14 <sup>R</sup>	---	51	---	Public Wastewater Facilities	09	---	---	
---	60	---	360	162	Land Use Regulation	15	---	---	
---	300 <sup>R</sup>	---	150	---	Water Monitoring and Planning	16	---	---	
---	35	---	115	15	Solid Waste Resource Management	17	---	---	
---	115 <sup>R</sup>	---	46	---	Hazardous Waste Management	23	---	---	
---	115	---	46	---					
---	1	---	6,157	4,199	Clean Waters	70	1,949	2,014	
<u>---</u>	<u>6,156<sup>R</sup></u>	<u>---</u>	<u>7,143</u>	<u>4,384</u>	<b>Total All Other Funds</b>		<b>2,074</b>	<b>2,139</b>	
247,390	78,893	-19,479	306,804	66,521	<b>GRAND TOTAL</b>		<b>155,293</b>	<b>117,015</b>	
							<b>109,355</b>	<b>109,355</b>	

Note: (a) The fiscal year 1996 appropriation has been adjusted for the allocation of salary program, which includes \$153,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Employee Benefits and Salary and Other Benefits accounts.

## LANGUAGE RECOMMENDATIONS

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 \$1,419,000, for costs attributable to administration of water supply programs, subject to the approval of the Director of the Division of Budget and Accounting.

Any funds received by the Wastewater Treatment Trust from any State agency to offset the Trust's annual operating expenses are appropriated.

The amount hereinabove for the Public Waste Water Facilities Bond account is appropriated from funds previously appropriated from the Water Conservation Fund, together with an amount not to exceed \$352,000 subject to the approval of the Director of the Division of Budget and Accounting, for costs attributable to planning, engineering, developing and constructing regional wastewater treatment facilities.

There 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, an amount not to exceed \$2,282,000 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", 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 \$136,000, 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 (C.13:1E-92 et seq.), the amount hereinabove for the Recycling of Solid Waste account is appropriated from the State Recycling Fund, together with an amount not to exceed \$672,000, 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 N.J.S.A. 13:1E-99.1 or any other law to the contrary, grants to counties and municipalities from the Clean Communities Fund shall be distributed to provide each county and municipality the sum of all amounts appropriated to it, as determined by the Director of the Division of Budget and Accounting in consultation with the Commissioner of the Department of Environmental Protection, pursuant to the 1996 Annual Appropriations Law (P.L. 1995, c. 164).

There are appropriated from the State Recycling Fund and the Clean Communities account 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, 1996 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 \$584,000, 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

To support a communication program which explains the Department's mission to the public and to encourage public participation in the decision-making process.

To support activities related to departmental planning, auditing, and legislative services.

3. To develop administrative policy, evaluate performance and coordinate program activities.
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 an environmental education and communication strategy for the Department's programs; serves as liaison to the Legislature as well as all county and municipal government officials.

99. **Management and Administrative 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, centralized revenue collection and licensing programs, as well as responsibility for the fiscal control and financial monitoring of all general state monies, federal funds, bond funds and tax accounts.

#### EVALUATION DATA

	Actual FY 1994	Actual FY 1995	Revised FY 1996	Budget Estimate FY 1997
<b>PROGRAM DATA</b>				
<b>Management and Administrative Services</b>				
Male Minority .....	261	208	216	240
Male Minority % .....	6	5	6	6
Female Minority .....	393	326	326	351
Female Minority % .....	9	9	9	9
Total Minority .....	654	542	542	591
Total Minority % .....	16	15	15	15
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
<b>Filled Positions by Funding Source</b>				
State Supported .....	425	428	349	309
Total Positions .....	425	428	349	309

# ENVIRONMENTAL PROTECTION

	Actual FY 1994	Actual FY 1995	Revised FY 1996	Budget Estimate FY 1997
Filled Positions by Program				
Management and Administrative Services .....	371	376	304	267
Regulatory and Governmental Affairs .....	54	52	45	42
<b>Total Positions .....</b>	<b>425</b>	<b>428</b>	<b>349</b>	<b>309</b>

Note: Actual fiscal years 1994 and 1995 and Revised fiscal year 1996 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1997 reflects the number of positions funded.

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1995					Year Ending June 30, 1997			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1996 Adjusted Approp.	Requested	Recom- mended
<b>Distribution by Program</b>								
419	35	2,355	2,809	2,800	26	2,550	2,169	2,169
<u>3,779</u>	<u>92</u>	<u>18,341</u>	<u>22,212</u>	<u>22,210</u>	99	<u>15,710</u>	<u>13,705</u>	<u>13,705</u>
<b>4,198</b>	<b>127</b>	<b>20,696</b>	<b>25,021</b>	<b>25,010</b>	<b>Total Appropriation</b>		<b>18,260<sup>(a)</sup></b>	<b>15,874</b>
<b>Distribution by Object</b>								
Personal Services:								
<u>3,169</u>	<u>---</u>	<u>17,140</u>	<u>20,309</u>	<u>20,309</u>	99	<u>14,764</u>	<u>12,333</u>	<u>12,333</u>
3,169	---	17,140	20,309	20,309	<b>Total Personal Services</b>		14,764	12,333
---	---	939	939	939	Materials and Supplies		483	482
930	14	1,567	2,511	2,502	Services Other Than Personal		1,949	1,949
1	---	400	401	401	Maintenance and Fixed Charges		596	596
Special Purpose:								
<u>98</u>	<u>---</u>	<u>-48</u>	<u>50</u>	<u>49</u>	99	<u>98</u>	<u>98</u>	<u>98</u>
98	---	-48	50	49	<b>Total Special Purpose</b>		98	98
---	113	698	811	810	Additions, Improvements and Equipment		370	416

## OTHER RELATED APPROPRIATIONS

---	---	---	---	---	<b>Total Grants-in-Aid</b>		50	---	---
3,732	318	315	4,365	4,217	<b>Total State Aid</b>		4,462	4,862	4,862
2,465	12	101	2,578	1,525	<b>Total Capital Construction</b>		950	6,487	---
<u>1,342</u>	<u>---</u>	<u>---</u>	<u>1,342</u>	<u>1,341</u>	<b>Total Debt Service</b>		<u>112,444</u>	<u>108,456</u>	<u>108,456</u>
<b>11,737</b>	<b>457</b>	<b>21,112</b>	<b>33,306</b>	<b>32,093</b>	<b>Total General Fund</b>		<b>136,166</b>	<b>135,679</b>	<b>129,192</b>
<b>Federal Funds</b>									
---	---	---	---	---	26	11 45 <sup>S</sup>	---	---	---
<u>100</u>	<u>---</u>	<u>---</u>	<u>100</u>	<u>---</u>	99	<u>975</u>	<u>1,275</u>	<u>1,275</u>	<u>1,275</u>
<b>100</b>	<b>---</b>	<b>---</b>	<b>100</b>	<b>---</b>	<b>Total Federal Funds</b>		<b>1,031</b>	<b>1,275</b>	<b>1,275</b>
<b>All Other Funds</b>									
<u>73</u>	<u>897 66<sup>R</sup></u>	<u>2,940</u>	<u>3,976</u>	<u>2,552</u>	99	<u>315</u>	<u>190</u>	<u>190</u>	<u>190</u>
<b>73</b>	<b>963</b>	<b>2,940</b>	<b>3,976</b>	<b>2,552</b>	<b>Total All Other Funds</b>		<b>315</b>	<b>190</b>	<b>190</b>
<b>11,910</b>	<b>1,420</b>	<b>24,052</b>	<b>37,382</b>	<b>34,645</b>	<b>GRAND TOTAL</b>		<b>137,512</b>	<b>137,144</b>	<b>130,657</b>

Note: (a) The fiscal year 1996 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Employee Benefits and Salary and Other Benefits accounts.

# ENVIRONMENTAL PROTECTION

## 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 pollution, solid waste, and hazardous waste.
2. To assure consistency in enforcement policies, protocols and actions taken by the Department.
3. To implement the Clean Water Enforcement Act effectively and fairly, and to ensure its consistency with the Department's overall enforcement philosophy.
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 monitor and report on the quality of surface and ground water in the state in order to develop plans, implementation programs and standards and evaluate programs for the protection and improvement of water quality.

#### 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. Also issues enforcement documents for Noise, Toxic Catastrophe Prevention Act, Right to Know, Radiation Protection, Laboratory Quality Assurance, Pesticide Control and Discharge Prevention Containment and Countermeasures. Develops enforcement cases, processes violations, assesses penalties and negotiates compliance schedules for these programs.
08. **Water Pollution Control.** Responsible for compliance, monitoring, investigations and enforcement actions in

support of the water programs, focusing particularly on inspections of wastewater dischargers and community water supply facilities, correction of situations of non-compliance through administrative and enforcement actions, 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 landfill and indirect discharges to Publicly-Owned Treatment Works (POTWs).

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 Development 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 Bureau develops land use enforcement cases, issues Notices of Violations and Administrative Orders, assesses penalties, and resolves cases through negotiation or through legal action in the Office of Administrative Law and Superior Court.
17. **Solid Waste Resource Management.** Conducts investigations and site inspections required to ensure compliance with State regulations and permits issued pursuant to the Solid Waste Management Act and the Solid Waste Utility Control Act statutes. Issues Notices of Violation and Administrative Orders, assesses penalties, and resolves cases and oversees remediations through negotiation or through legal action in the Office of Administrative Law, Superior Court or Municipal Court.
23. **Hazardous Waste Management.** Conducts compliance evaluation inspections at land and non-land disposal facilities, delisted facilities, treatment, storage and disposal facilities, hazardous waste generators, hazardous waste transporter facilities and hazardous waste transporters. Provides assistance to EPA in multi-media enforcement actions at EPA-targeted facilities.

#### EVALUATION DATA

PROGRAM DATA	Actual FY 1994	Actual FY 1995	Revised FY 1996	Budget Estimate FY 1997
<b>Air Pollution Control</b>				
Investigations and inspections .....	9,780	9,630	7,250	7,250
<b>Water Pollution Control</b>				
Enforcement actions issued .....	2,295	1,467	1,000	1,000
Penalties assessed (millions) .....	\$11	\$21	\$4	\$2
Penalties collected (millions) .....	\$12	\$5	\$3	\$1
Coastal monitoring stations evaluated .....	5,700	5,400	5,400	5,400
Surface Water Discharge Permits:				
Compliance inspections .....	3,600	2,715	2,400	2,400
Operation Clean Shore:				
Miles of beaches cleaned .....	72	75	75	75
Tons of debris removed .....	4,062	3,700	2,000	2,000

# ENVIRONMENTAL PROTECTION

	Actual FY 1994	Actual FY 1995	Revised FY 1996	Budget Estimate FY 1997
<b>Land Use Regulation</b>				
Investigations and inspections .....	2,894	2,830	2,100	2,400
<b>Hazardous Waste Management</b>				
Annual inspections .....	2,709	2,750	2,500	2,500
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
<b>Filled Positions by Funding Source</b>				
State Supported .....	257	251	294	289
Federal .....	77	67	17	17
All Other .....	10	5	5	7
<b>Total Positions</b> .....	<b>344</b>	<b>323</b>	<b>316</b>	<b>313</b>
<b>Filled Positions by Program</b>				
Air Pollution Control .....	98	94	88	91
Solid Waste .....	50	44	42	36
Water Pollution Control .....	121	110	115	115
Land Use Regulation .....	34	35	32	32
Hazardous Waste Management .....	41	40	39	39
<b>Total Positions</b> .....	<b>344</b>	<b>323</b>	<b>316</b>	<b>313</b>

Note: Actual fiscal years 1994 and 1995 and Revised fiscal year 1996 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1997 reflects the number of positions funded.

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1995					Year Ending June 30, 1997				
Orig. & (S)Supple- mental	Reapp. & (R)Repts.	Transfers & (E)Emer- gencies	Total Available	Expended		1996 Adjusted Approp.	Requested	Recom- mended	
<b>Distribution by Program</b>									
3,501	33	1,011	4,545	4,518	Air Pollution Control	02	2,782	2,532	2,532
4,443	6,795	-2,553	8,685	8,508	Water Pollution Control	08	6,714	6,170	6,170
1,079	---	270	1,349	1,334	Land Use Regulation	15	1,476	1,461	1,461
3,042	1,132	-983	3,191	3,159	Solid Waste Resource Management	17	2,230	1,959	1,959
<u>1,416</u>	<u>502</u>	<u>-117</u>	<u>1,801</u>	<u>1,568</u>	Hazardous Waste Management	23	<u>1,361</u>	<u>1,152</u>	<u>1,152</u>
<u>13,481</u>	<u>8,462</u>	<u>-2,372</u>	<u>19,571</u>	<u>19,087</u>	<b>Total Appropriation</b>		<u>14,563<sup>(a)</sup></u>	<u>13,274</u>	<u>13,274</u>
<b>Distribution by Object</b>									
Personal Services:									
8,510	7,610 619 <sup>R</sup>	-3,336	13,403	10,586	Salaries and Wages		10,206	9,911	9,911
---	---	---	---	2,453	Employee Benefits		---	---	---
<u>8,510</u>	<u>8,229</u>	<u>-3,336</u>	<u>13,403</u>	<u>13,039</u>	<b>Total Personal Services</b>		<u>10,206</u>	<u>9,911</u>	<u>9,911</u>
121	36	-16	141	120	Materials and Supplies		253	196	196
3,648	163	1,100	4,911	4,874	Services Other Than Personal		2,639	1,875	1,875
411	23	-119	315	300	Maintenance and Fixed Charges		548	423	423
Special Purpose:									
<u>745</u>	<u>---</u>	<u>---</u>	<u>745</u>	<u>731</u>	Tidelands Peak Demands	15	<u>682</u>	<u>673</u>	<u>673</u>
745	---	---	745	731	<b>Total Special Purpose</b>		682	673	673
46	11	-1	56	23	Additions, Improvements and Equipment		235	196	196

## OTHER RELATED APPROPRIATIONS

<u>1,000</u>	<u>241</u>	<u>1,728</u>	<u>2,969</u>	<u>2,593</u>	<b>Total State Aid</b>	<u>2,853</u>	<u>2,453</u>	<u>2,453</u>
14,481	8,703	-644	22,540	21,680	<b>Total General Fund</b>	17,416	15,727	15,727

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 1995					Year Ending June 30, 1997				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1996 Adjusted Approp.	Requested	Recommended	
3,110	196	---	3,306	2,791					
444	75	4	523	502					
<u>1,866</u>	<u>341</u>	<u>---</u>	<u>2,207</u>	<u>1,884</u>					
5,420	612	4	6,036	5,177					
					<b>Federal Funds</b>				
					Air Pollution Control	02	3,280	3,280	3,280
					Land Use Regulation	15	482	482	482
					Hazardous Waste Management	23	<u>1,866</u>	<u>1,886</u>	<u>1,886</u>
					<b>Total Federal Funds</b>		5,628	5,648	5,648
					<b>All Other Funds</b>				
					Water Pollution Control	08	<u>850</u>	<u>1,000</u>	<u>1,000</u>
					<b>Total All Other Funds</b>		<u>850</u>	<u>1,000</u>	<u>1,000</u>
19,901	12,756	-1,542	31,115	27,969	<b>GRAND TOTAL</b>	23,894	22,375	22,375	

Note: (a) The fiscal year 1996 appropriation has been adjusted for the allocation of salary program, which includes \$9,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Employee Benefits and Salary and Other Benefits accounts.

## LANGUAGE RECOMMENDATIONS

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 of 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 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.

163,846	84,198	-5,580	242,464	208,590	<b>Total Appropriation, Department of Environmental Protection</b>	185,708	168,261	168,261
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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

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 \$1,231,000, 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 \$1,551,000, 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 and P.L. 1991, c.427, all revenues from fees and fines collected by the Department of Environmental Protection, unless otherwise dedicated herein, shall be deposited into the General State Fund without regard to their specific dedication.