

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENERGY

01. OVERVIEW

The Department of Environmental Protection and Energy (DEPE) safeguards the environment by regulating pollution discharges, encouraging energy efficiency, and managing the State's natural resources. The Department strives to prevent pollution or limit its impact through comprehensive programs in Air Pollution Control, Water Quality, Solid Waste Management, and Site Remediation. Providing adequate recreational opportunities is also a primary concern, as reflected in DEPE's ongoing commitment to maintain service quality within the statewide system of Parks and Forests, and through efforts to preserve open space and historic sites. The fiscal year 1995 budget recommendation of \$174 million will allow the Department to continue 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 many of DEPE's programs provide similar services, and thus may be grouped under broad functional headings. With one senior manager responsible for each function, this streamlined arrangement is expected to yield a more unified, coordinated effort, particularly for the Department's regulatory programs.

Perhaps DEPE's most critical regulatory program is Air Pollution Control, for which the fiscal year 1995 budget includes a recommendation totalling \$15 million. Since passage of the federal Clean Air Act Amendments of 1990, DEPE has coordinated the State's efforts to comply with the Act's restrictions on carbon monoxide and ozone emissions. For example, the Department coordinates with the Department of Law and Public Safety regarding mandated improvements to the State's auto inspection program, and with the Department of Transportation on ridesharing, mass transit, and traffic congestion initiatives. DEPE also interacts with neighboring states to pursue regional air quality solutions. The revisions to the State Implementation Plan to be published in November 1994, will outline DEPE's long-term air pollution strategies for meeting the Act's ozone standard into the next century.

In the area of Solid Waste, the Department has implemented a four-pronged strategy designed to attain solid waste self-sufficiency. This strategy includes source reduction, recycling, in-state landfill, and, as a last resort, a strategy that combines incineration and out-of-state disposal. The Recycling program has attained a 52 percent recycling rate, which represents steady progress towards DEPE's goal of 60 percent by 1995. DEPE has also reduced the amount of trash sent to out-of-state disposal facilities to 18 percent, and plans to eliminate the use of all out-of-state disposal facilities within seven years. Through the consolidation of the Solid Waste function formerly located in the Board of Regulatory Commissioners, DEPE has streamlined the regulation and enforcement of solid waste laws, and has begun to de-regulate solid waste collection to promote greater competition within the solid waste industry. The budget recommends a total of approximately \$12 million for Solid Waste functions.

The Board of Regulatory Commissioners (BRC) regulates the rates for such essential services as natural gas, electricity, water, sewer, and telecommunications including cable television. The \$11 million allocated to the BRC in FY 1995, which is derived entirely from assessments levied against the various utilities conducting business within the State, will enable the board to effectively confront such issues as fiber optic communications as well as the changes in the energy industry such as the proliferation of co-generation plants, and the restructuring of utility rates to encourage energy conservation.

The long-term goal of the Site Remediation Program is to restore contaminated sites to protect human health and the environment. The fiscal year 1995 budget includes \$35 million for staff costs associated with Site Remediation, all of which are derived from non-State funding sources. DEPE expects to authorize a total of \$228 million for 138 publicly-funded cleanup projects in fiscal year 1995, funded principally from the Spill Compensation Fund, federal Superfund grants, and State bond fund resources. For many of these cases, the Department will seek to recover the cost from the responsible parties who have not settled to date. DEPE will also oversee approximately 325 cleanup projects funded by responsible parties who have agreed with DEPE on a cleanup remedy. Thus, a total of 463 public and privately-funded projects will move forward in fiscal year 1995.

The fiscal year 1995 budget also provides continuation funding of \$46 million for Natural Resource programs, including the Division of Parks and Forestry. This level of funding will allow the state's 52 parks to remain open to provide a wide range of recreational opportunities ranging from hiking in the scenic Skylands to surf-fishing in the Atlantic.

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, tides and other conditions dictate the types of projects that will have to be conducted in any year. Also, projects such as beach nourishment, beach fill, and erosion control are regularly scheduled. To fund these types of emergency and ongoing projects, DEPE will receive an appropriation of \$15 million.

ENVIRONMENTAL PROTECTION AND ENERGY

SUMMARY OF APPROPRIATIONS BY PROGRAM (thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (B)Emer- gencies	Total Available	Expended	1994 Adjusted Approp.	Requested	Recom- mended	
399	1,033	1	1,433	852	Natural Resource Management			
5,468	—	78	5,546	5,528	862	862	394	
23,148	31	-574	22,605	22,467	5,568	5,568	5,568	
10,112	4,402	-2	14,512	12,137	22,960	22,895	22,895	
1,180	—	-14	1,166	1,157	10,652	10,652	10,652	
					Management			
500	196	-1	695	504	1,337	1,287	1,287	
1,437	—	-2	1,435	1,413	565	565	565	
1,664	—	-42	1,622	1,552	1,375	1,375	1,375	
1,126	—	-36	1,090	1,087	1,522	1,522	1,522	
45,034	5,662	-592	50,104	46,697	990	990	990	
					<i>Subtotal</i>	45,831	45,716	45,248
					Science and Technical Programs			
3,181	3,419	-22	6,578	5,891	4,689	4,524	4,524	
6,422	4,108	444	10,974	9,693	8,135	8,135	8,135	
1,900	2,892	-29	4,763	4,140	2,807	2,807	2,807	
4,045	4,052	-159	7,938	6,276	Water Supply and Watershed Management			
					4,677	4,677	4,677	
598	—	—	598	594	—	—	—	
12,785	21,261	-5,513	28,533	18,174	12,061	11,561	11,561	
2,780	—	-270	2,510	2,501	2,497	2,077	2,077	
485	—	7	492	484	484	484	484	
200	—	-3	197	197	190	190	190	
32,396	35,732	-5,545	62,583	47,950	<i>Subtotal</i>	35,540	34,455	34,455
					Site Remediation			
9,306	2,010	981	12,297	10,286	13,488	13,453	13,453	
19,292	7,774	-187	26,879	21,943	21,132	21,167	21,167	
28,598	9,784	794	39,176	32,229	<i>Subtotal</i>	34,620	34,620	34,620
					Environmental Regulation			
2,700	9,457	-2,569	9,588	5,383	3,200	3,200	3,200	
—	—	—	—	—	550	550	550	
5,990	1,571	-631	6,930	6,718	4,980	4,900	4,900	
500	842	24	1,366	1,366	700	700	700	
7,227	607	2,362	10,196	9,885	8,550	8,550	8,550	
4,890	2,659	-579	6,970	4,917	5,898	5,583	5,538	
21,307	15,136	-1,393	35,050	28,269	<i>Subtotal</i>	23,878	23,483	23,438
					Environmental Planning and Administration			
1,020	4	-246	778	757	769	469	469	
2,684	310	—	2,994	2,709	2,947	2,904	2,904	
3,187	661	3,397	7,245	5,885	Management and Administrative Services			
					5,507	5,863	5,863	
6,891	975	3,151	11,017	9,351	<i>Subtotal</i>	9,223	9,236	9,236

ENVIRONMENTAL PROTECTION AND ENERGY

Year Ending June 30, 1993					Year Ending June 30, 1995			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		1994 Adjusted Approp.	Requested	Recom- mended
1,100	1,118	1,537	3,755	3,711	Enforcement Policy			
959	—	15	974	965	Air Pollution Control	3,200	3,200	3,200
3,068	18,167	-4,261	16,974	7,801	Water Monitoring and Planning	826	826	826
551	—	630	1,181	1,174	Water Pollution Control	1,500	1,500	1,500
2,819	442	38	3,299	3,295	Land Use Regulation	1,079	1,079	1,079
700	696	553	1,949	1,805	Water Quality Management	2,943	2,943	2,943
					Hazardous Waste Management	1,295	1,295	1,295
<u>9,197</u>	<u>20,423</u>	<u>-1,488</u>	<u>28,132</u>	<u>18,751</u>	<i>Subtotal</i>	<u>10,843</u>	<u>10,843</u>	<u>10,843</u>
					Economic Regulation			
5,446	337	100	5,883	5,191	Utility Regulation	5,529	5,498	5,498
1,037	247	15	1,299	1,082	Regulation of Cable Television	1,316	1,317	1,317
3,913	230	185	4,328	4,014	Management and Administrative Services	4,218	4,276	4,276
<u>10,396</u>	<u>814</u>	<u>300</u>	<u>11,510</u>	<u>10,287</u>	<i>Subtotal</i>	<u>11,063</u>	<u>11,091</u>	<u>11,091</u>
<u>153,819</u>	<u>88,526</u>	<u>-4,773</u>	<u>237,572</u>	<u>193,534</u>	<i>Total Appropriation</i>	<u>170,998</u>	<u>169,444</u>	<u>168,931</u>

ENVIRONMENTAL PROTECTION AND ENERGY

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.

PROGRAM CLASSIFICATIONS

10. **Marina Operations.** Operates and maintains State marinas in a clean, safe and non-discriminative 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.

EVALUATION DATA

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
PROGRAM DATA				
Marina Operations				
Marinas operated	4	4	4	2
Marina berths in service	1,070	1,070	1,085	777
Marina berth applications	800	800	850	281
Forest Resource Management				
Fires (annual)	1,893	1,309	2,000	2,000
Acres lost (annual)	16,597	9,997	20,000	20,000
Fires per million acres, national rank	3	3	3	3
Acres consumed per million acres protected, national rank	3	3	3	3

ENVIRONMENTAL PROTECTION AND ENERGY

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
Farmland assessment reviews	2,100	2,636	2,700	2,750
Acreage – farmland assessment	190,000	239,054	250,000	250,000
Trees planted	767,000	700,000	700,000	700,000
Urban forest assists	180	400	600	600
Seedling production	700,000	750,000	750,000	750,000
State forest lands managed (acreage)	290,000	290,000	290,000	290,000
Parks Management				
State parks and forests				
Total acres	304,500	305,000	306,000	308,000
Total visitors	10,268,000	10,945,000	11,100,000	11,150,000
Total revenue	\$4,200,000	\$4,040,000	\$4,100,000	\$4,100,000
Historic sites	27	27	27	27
Revenue	\$23,000	\$23,000	\$23,000	\$23,000
Visitors	360,000	360,000	365,000	370,000
Hunters' and Anglers' License Fund				
State-owned land managed (acres)	209,500	211,254	215,254	216,000
Hunting and fishing licenses and stamps issued	610,385	581,797	600,000	600,000
Trout propagated and distributed	760,000	785,579	760,000	760,000
Pheasants reared at game farms	53,420	50,000	55,000	55,000
Other fish propagated and distributed	370,000	610,000	600,000	600,000
Quail reared at game farms	15,000	15,000	15,000	15,000
Shellfish and Marine Fisheries Management				
Licenses	19,160	16,689	16,500	16,500
Acres leased	32,707	33,121	33,000	33,000
Seed oysters transplanted (bu.)	—	50,000	75,000	75,000
Clams transplanted (bu.)	36,350	52,370	60,000	55,000
Leases	1,883	1,860	1,850	1,850
Natural Resources Engineering				
Channel Miles Managed	800	800	800	800
Buoys installed	970	970	970	970
Markers installed	2,200	2,200	2,200	2,200
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	790	784	771	781
Federal	31	29	31	35
All Other	83	98	101	120
Total Positions	904	911	903	936
Filled Positions by Program Class				
Marina Operations	15	17	16	8
Forest Resource Management	100	97	96	101
Parks Management	479	490	477	499
Hunters' and Anglers' License Fund	214	206	208	213
Shellfish and Marine Fisheries Management	38	33	36	41
Natural Resources Engineering	58	58	60	64
Wildlife Management	—	10	10	10
Total Positions	904	911	903	936

Note: Actual fiscal years 1992 and 1993 and Revised fiscal year 1994 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1995 reflects the number of positions funded.

ENVIRONMENTAL PROTECTION AND ENERGY

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recommended	
Distribution by Program									
399	1,033	1	1,433	852	10	862	862	394	
5,468	—	78	5,546	5,528	11	5,568	5,568	5,568	
23,148	31	-574	22,605	22,467	12	22,960	22,895	22,895	
10,112	4,402	-2	14,512	12,137	13	10,652	10,652	10,652	
1,180	—	-14	1,166	1,157	14	1,337	1,287	1,287	
500	196	-1	695	504	20	565	565	565	
1,437	—	-2	1,435	1,413	21	1,375	1,375	1,375	
42,244	5,662	-514	47,392	44,058		43,319^(a)	43,204	42,736	
Distribution by Object									
Personal Services:									
30,228	314	-301	30,241	29,891		31,426	31,879	31,411	
—	—	2,019	2,019	2,019		—	—	—	
30,228	314	1,718	32,260	31,910		31,426	31,879	31,411	
3,059	698	407	4,164	3,711		3,722	3,521	3,521	
2,075	301	-250	2,126	1,819		1,960	1,816	1,816	
2,349	100	302	2,751	2,448		2,611	2,520	2,520	
Special Purpose:									
—	23	—	—	—	10	—	—	—	
1,025	1,004 ^R	-467	560	—	11	1,025	1,025	1,025	
75	—	-13	1,012	1,007	11	—	—	—	
22	—	—	75	75	11	—	—	—	
22	—	3	25	11	12	22	22	22	
149	9	-1	157	151	12	149	149	149	
450	—	-450	—	—	12	—	—	—	
90	—	—	90	90	12	90	90	90	
5	—	—	5	4	12	5	5	5	
40	—	—	40	40	12	40	—	—	
20	—	—	20	19	12	20	20	20	
50	—	-50	—	—	12	—	—	—	
120	—	—	120	120	12	—	—	—	
180	—	58	238	230	12	—	—	—	
—	—	—	—	—	12	320	320	320	
—	1,353	—	—	—	13	—	—	—	
—	1,347 ^R	-1,760	940	—	13	—	—	—	
63	—	2	65	57	14	—	—	—	
15	—	-15	—	—	14	—	—	—	
30	—	—	30	30	14	—	—	—	
22	—	1	23	23	14	—	—	—	
300	196 ^R	—	496	305	20	315	315	315	
200	—	-1	199	199	20	250	250	250	
230	—	37	267	257	21	230	230	230	
315	—	-38	277	266	21	—	—	—	

ENVIRONMENTAL PROTECTION AND ENERGY

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recom- mended	
100	—	—	100	100					
					21				
3,501	3,932	-2,694	4,739	2,984		2,466	2,426	2,426	
1,032	317	3	1,352	1,186		1,134	1,042	1,042	
OTHER RELATED APPROPRIATIONS									
—	—	300	300	300		—	—	—	
1,100	—	-500	600	439		600	600	600	
—	2,569	—	2,569	240		17,000	17,400	17,400	
43,344	8,231	-714	50,861	45,037		60,919	61,204	60,736	
Federal Funds									
—	42	—	1,221	1,189		4,975	2,066	2,066	
—	1,179 ^R	—	1,221	1,189	11	4,975	2,066	2,066	
—	33	—	721	579		7,875	7,885	7,885	
—	689 ^R	-1	721	579	12	7,875	7,885	7,885	
—	232	—	1,993	1,637		10,760	8,210	8,210	
—	1,767 ^R	-6	1,993	1,637	13	10,760	8,210	8,210	
—	910	—	1,727	1,194		2,446	2,476	2,476	
—	814 ^R	3	1,727	1,194	14	2,446	2,476	2,476	
—	797 ^R	—	797	31		150	150	150	
—	6,463	-4	6,459	4,630		26,206	20,787	20,787	
All Other Funds									
—	357	—	367	29		543	438	438	
—	10 ^R	—	367	29	10	543	438	438	
—	3,075	—	6,772	3,762		4,949	4,632	4,632	
—	3,695 ^R	2	6,772	3,762	12	4,949	4,632	4,632	
—	5,855	—	6,309	742		1,490	1,413	1,413	
—	451 ^R	3	6,309	742	13	1,490	1,413	1,413	
—	225	—	383	114		182	200	200	
—	158 ^R	—	383	114	14	182	200	200	
—	479	—	702	282		1,147	1,945	1,945	
—	218 ^R	5	702	282	20	1,147	1,945	1,945	
—	1,118 ^R	11	1,129	1,129		1,489	1,311	1,311	
—	15,641	21	15,662	6,058		9,800	9,939	9,939	
43,344	30,335	-697	72,982	55,725		96,925	91,930	91,462	

- Notes: (a) The fiscal year 1994 appropriation has been adjusted for the allocation of the salary program, which includes \$448,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Employee Benefits accounts.
- (b) Program was funded in Fiscal Year 1993 by an off-budget appropriation. Appropriation data for that fiscal year is reflected in the All Other Funds section.
- (c) Appropriations for the following programs have been allocated to the applicable operating accounts: Open Lands Management (\$110,000), Morven Maintenance (\$50,000), Natural Heritage (\$120,000), Historic Sites and Planning (\$180,000), Sea Clam Enforcement (\$63,000), Dam Safety (\$315,000), Dredging (\$100,000), and Woodland Assessment (\$225,000).

LANGUAGE PROVISIONS

It is recommended that the amount hereinabove for the Hunters' and Anglers' License Fund be payable out of said Fund and any amount remaining therein, and that the unexpended balance as of June 30, 1994 in the Hunters' and Anglers' License Fund, together with any receipts in excess of the amount anticipated be appropriated. If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.

ENVIRONMENTAL PROTECTION AND ENERGY

It is further recommended that the amount hereinabove for Marina Operations be payable out of fee receipts and that the unexpended balances as of June 30, 1994 in the Marina Operations accounts, together with fee receipts in excess of the amount anticipated, be appropriated for maintenance and security of marina facilities. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

It is further recommended that receipts in excess of the amount anticipated from fees and permit receipts from the use of State Park facilities, not to exceed \$150,000, be appropriated for Parks Management.

It is further recommended that receipts in excess of the amount anticipated from the Morris Canal and Banking Company be appropriated subject to the approval of the Director of the Division of Budget and Accounting.

It is further recommended that the amount hereinabove for the Liberty State Park Facilities account be payable out of receipts derived from the rental and/or use of Liberty State Park facilities, and that the unexpended balances in the Liberty State Park Facilities account as of June 30, 1994, together with receipts in excess of the amounts anticipated, be appropriated for operation and maintenance of Liberty State Park.

It is further recommended that there be appropriated from the Cultural Centers and Historic Preservation Fund established pursuant to the New Jersey Green Acres, Cultural Centers and Historic Preservation Bond Act of 1987, P.L. 1987, c.265, such sums as may be required for costs attributable to planning, administrative, organizational and operational expenses incident to the historic preservation projects authorized by the Bond Act, subject to the approval of the Director of the Division of Budget and Accounting.

It is further recommended that the amount hereinabove for the Endangered Species Tax Check-Off Donations account be payable out of receipts, and that the unexpended balances in the Endangered Species Tax Check-Off Donations account as of June 30, 1994, together with receipts in excess of the amount anticipated, be appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

42. NATURAL RESOURCE MANAGEMENT

4876. PALISADES INTERSTATE PARK COMMISSION

OBJECTIVES

1. To develop and provide recreational, historic, educational and natural facilities for public use.
2. To provide a system of highways to facilitate travel through and within the park.
3. To maintain parkway roads and bridges to ensure safe and efficient movement of traffic.

PROGRAM CLASSIFICATIONS

24. **Parks Management.** 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 motoring public; improves and develops roads and highways to increase capacity, improve highway safety and expand park access; administers concession contracts and reviews, approves and awards all design and construction contracts.

25. **Patrol Activities and Crime Control.** 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.

EVALUATION DATA

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
PROGRAM DATA				
Palisades Park Management				
Parks Management:				
Acreage maintained	2,452	2,452	2,452	2,452
Park Attendance	2,015,000	2,015,000	2,015,000	2,015,000
Boat stalls and moorings	264	264	264	264
Patrol Activities and Crime Control				
Cars on parkway	26,976,000	26,976,000	26,976,000	26,976,000
Roads and paths (miles)	25	25	25	25
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	100	100	100	100
Total Positions	100	100	100	100

ENVIRONMENTAL PROTECTION AND ENERGY

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
Filled Positions by Program Class				
Parks Management	64	64	64	64
Patrol Activities and Crime Control	36	36	36	36
Total Positions	100	100	100	100

Note: Actual fiscal years 1992 and 1993 and Revised fiscal year 1994 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1995 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recom- mended	
Distribution by Program									
1,664	—	-42	1,622	1,552	24	1,522	1,522	1,522	
<u>1,126</u>	<u>—</u>	<u>-36</u>	<u>1,090</u>	<u>1,087</u>	25	<u>990</u>	<u>990</u>	<u>990</u>	
2,790	—	-78	2,712	2,639	Total Appropriation		2,512^(a)	2,512	2,512
Distribution by Object									
Personal Services:									
<u>2,127</u>	<u>—</u>	<u>-18</u>	<u>2,109</u>	<u>2,109</u>		<u>1,849</u>	<u>1,849</u>	<u>1,849</u>	
2,127	—	-18	2,109	2,109		1,849	1,849	1,849	
288	—	-40	248	248		288	276	276	
186	—	-20	166	95		186	172	172	
187	—	—	187	187		187	215	215	
2	—	—	2	—		2	—	—	

OTHER RELATED APPROPRIATIONS

All Other Funds									
—	2,762	—	—	—					
<u>—</u>	<u>2,269^R</u>	<u>—</u>	<u>5,031</u>	<u>2,769</u>	24	<u>2,208</u>	<u>2,144</u>	<u>2,144</u>	
<u>—</u>	<u>5,031</u>	<u>—</u>	<u>5,031</u>	<u>2,769</u>		<u>2,208</u>	<u>2,144</u>	<u>2,144</u>	
2,790	5,031	-78	7,743	5,408	GRAND TOTAL		4,720	4,656	4,656

Note: (a) The fiscal year 1994 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Employee Benefits accounts.

LANGUAGE PROVISIONS

It is recommended that receipts from police court, stands, concessions and self-sustaining activities operated or supervised by this Commission, and the unexpended balance as of June 30, 1994 of such receipts, be appropriated.

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 develop and implement the State's Energy Master Plan, collect and analyze energy use and cost data, and promote energy conservation through such means as financial assistance grants.
3. To coordinate, plan and develop strategies for implementation of the Federal Clean Air Act.
4. To assure a safe and dependable supply of water.
5. To monitor and report on the quantity and quality of ground water and surface water in the State and to develop plans, implementation programs and standards for the protection and improvement of water quality, and to assure adequate water supply.

ENVIRONMENTAL PROTECTION AND ENERGY

6. 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.
 7. 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.
 8. 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 DEPE. These activities are designed to meet the Department of Environmental Protection and Energy's information and problem-solving needs, and to identify emerging issues that require the Department's attention and response.
 9. 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.
 10. 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 DEPE 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.
 11. To monitor and report on the biological, chemical and physical quality of surface waters and ground waters in the state and to monitor NJPDES permit compliance in order to develop water quality standards and programs and to evaluate the effectiveness of existing programs for the protection and improvement of New Jersey's water quality.
- 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 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.
 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.
 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 and strictly enforced through on-site construction and compliance inspections, design-reviews, surveillance, 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).
 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.

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, and supports radon risk reduction efforts.
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 program reduces the possibility of hazardous

ENVIRONMENTAL PROTECTION AND ENERGY

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.

56. **Energy.** Develops and implements State energy policies and associated programs, including funding mechanisms to support energy conservation projects, energy education and outreach, energy data collection and analysis, and evaluation of energy use and supply.

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.

EVALUATION DATA

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
PROGRAM DATA				
Radiation Protection				
Radioactive material licenses	253	253	257	257
X-ray machines registered	20,459	20,275	20,275	20,275
Enforcement Actions:				
X-ray machine violations	626	437	600	550
X-ray technologist licenses	16,353	16,353	16,865	15,742
X-ray technologist licenses verified	9,140	10,557	9,712	10,134
New X-ray technologist licenses	1,170	800	900	950
X-ray machines inspected	7,890	6,841	5,500	6,000
Radioactive material inspections	167	164	200	200
Radon testers/mitigators	47	47	114	114
Radon certification renewals	540	540	164	164
Emergency event responses	11	15	15	15
Nuclear emergency drills	13	16	16	16
Power plant inspections reviewed	53	55	55	55
Air Pollution Control				
Toxic Catastrophe Prevention				
Signed consent agreements	30	5	4	—
Administrative orders issued for work plans	5	—	—	—
Detailed reviews	21	6	4	—
Annual risk management plan reviews	116	102	135	122
Compliance inspections	70	24	60	60
Accident investigations	4	2	4	4
Equipment exemption reviews	3	21	40	40
New facility reviews	4	3	2	2
Right To Know				
Program Awareness:				
Presentations	15	15	25	28
Participants	2,300	2,300	5,000	6,000
Information requests	600	2,400	3,000	4,000
Enforcement Activities:				
Audits for facilities	1,320	1,731	1,800	1,900
Notice of violations	323	295	340	375
Discharge Prevention, Control and Countermeasure				
Enforcement Actions:				
Discharge confirmation reports	488	925	800	800
Discharge response/accepted	367	922	845	845
Pesticide Control				
Investigations and inspections	2,100	1,642	2,100	2,400
Registration of products	10,000	10,818	10,000	10,000
Pesticide applicators certified for restricted pesticide use	9,500	9,482	9,600	9,700

ENVIRONMENTAL PROTECTION AND ENERGY

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
Pesticide operators certified for restricted pesticide use	5,000	3,468	3,500	3,700
Environmental labs certified	844	925	925	925
Quality assurance actions	456	513	513	513
Water Supply and Watershed Management				
Water allocation permits processed	62	96	86	86
Well drilling permits issued	17,291	20,000	20,000	20,000
Safe drinking water permits issued	109	110	112	110
Public Wastewater Facilities				
New wastewater infrastructure projects	10	10	14	10
Project Costs (millions)	\$131	\$79	\$120	\$85
Solid Waste Resource Management				
Closure plans reviewed	8	20	20	20
Administrative orders and notices of violations	559	930	950	1,000
Solid Waste Disposal Facilities:				
Major reviews completed	18	87	100	110
Minor reviews completed	220	79	80	85
Annual inspections:				
Solid Waste facilities	1,838	2,390	2,600	2,800
Medical Waste generating facilities	5,996	2,808	3,000	3,200
Hauler companies	4,695	5,369	5,594	5,800
Hauler vehicles	47,211	47,158	48,524	49,000
Recycling tonnage grants	540	543	540	545
Clean Communities grants	514	514	530	540
Medical Waste generators registered	15,297	16,300	16,600	16,800
Solid Waste Plan amendments approved	40	38	60	50
A-901 applicants	64	46	40	35
A-901 renewals	1,050	1,050	1,050	1,050
Solid Waste utilities regulated	570	540	520	520
Utility cases pending	600	732	520	400
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	509	621	581	607
Federal	88	79	77	77
All Other	218	112	124	132
Total Positions	815	812	782	816
Filled Positions by Program Class				
Air Pollution Monitoring	82	82	77	82
Science and Research	44	44	42	33
Energy Resource Management	25	19	20	19
Management Policy and Planning	—	4	4	4
Radiation Protection	89	83	86	89
Air Pollution Control	66	70	63	77
Pesticide Control	46	44	47	48
Water Supply and Watershed Management	126	139	134	138
Public Waste Water Facilities	35	32	31	32
Clean Waters	44	44	44	43
Solid Waste Resource Management	220	231	218	234
Water Quality Management	38	20	16	17
Total Positions	815	812	782	816

Note: Actual fiscal years 1992 and 1993 and Revised fiscal year 1994 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1995 reflects the number of positions funded.

ENVIRONMENTAL PROTECTION AND ENERGY

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recom- mended	
					Distribution by Program				
3,181	3,419	-22	6,578	5,891		4,689	4,524	4,524	
6,422	4,108	444	10,974	9,693	01	8,135	8,135	8,135	
1,900	2,892	-29	4,763	4,140	02	2,807	2,807	2,807	
4,045	4,052	-159	7,938	6,276	04	4,677	4,677	4,677	
598	—	—	598	594	05	—	—	—	
12,785	21,261	-5,513	28,533	18,174	09	—	—	—	
2,780	—	-270	2,510	2,501	17	12,061	11,561	11,561	
485	—	7	492	484	18	2,497	2,077	2,077	
200	—	-3	197	197	22	484	484	484	
32,396	35,732	-5,545	62,583	47,950	90	190	190	190	
					Total Appropriation				
					Distribution by Object				
					Personal Services:				
7,060	146	-262	6,944	6,849		7,952	7,507	7,507	
—	77	1,524	1,601	1,569		—	—	—	
7,060	223	1,262	8,545	8,418		7,952	7,507	7,507	
158	46	33	237	167		129	123	123	
499	219	1,160	1,878	1,464		968	397	397	
769	76	-147	698	86		653	397	397	
					Special Purpose:				
1,800	982	-3	2,779	2,225	01	1,800	1,800	1,800	
765	—	2	767	736	01	765	600	600	
—	1,193 ^R	-1,942	18	—	01	—	—	—	
1,400	103 ^R	-17	2,011	1,922	02	1,462	1,462	1,462	
922	378	—	1,717	1,195	02	1,000	1,000	1,000	
2,100	400 ^R	17	1,717	1,195	02	1,000	1,000	1,000	
2,100	2,664	445	5,209	4,736	02	3,522	3,522	3,522	
2,000	38	-1	2,037	1,840	02	2,151	2,151	2,151	
1,900	1,078	—	4,430	3,807	02	2,151	2,151	2,151	
1,900	1,478 ^R	-26	4,430	3,807	04	2,507	2,507	2,507	
—	11	—	333	333	04	300	300	300	
—	325 ^R	-3	333	333	04	300	300	300	
222	191	—	414	276	04	300	300	300	
—	3 ^R	-2	414	276	05	234	234	234	
175	222	—	532	346	05	234	234	234	
1,420	137 ^R	-2	532	346	05	175	175	175	
70	780	—	2,886	2,347	05	175	175	175	
1,420	703 ^R	-17	2,886	2,347	05	1,640	1,640	1,640	
70	374	—	570	87	05	1,640	1,640	1,640	
—	126 ^R	—	114	114	05	70	70	70	
58	114	—	114	114	05	—	—	—	
1,400	—	—	58	58	05	58	58	58	
700	110	1	1,511	1,511	05	1,950	1,950	1,950	
598	1,008	—	1,853	1,537	05	550	550	550	
598	284 ^R	-139	1,853	1,537	05	550	550	550	
598	—	—	598	594	09	—	—	—	
					Administration of Waste Water Treatment Fund				

ENVIRONMENTAL PROTECTION AND ENERGY

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recommended	
190	4	—	194	191	Sanitary Landfill Facility Contingency Fund, Non-Site Specific Administration	17	190	190	190
900	389 6,179 ^R	-3,611	3,857	1,725	Solid and Hazardous Waste Disposal-Disclosure Fund	17	900	900	900
2,906	647 1,459 ^R	-58	4,954	3,408	Solid Waste - Utility Regulation	17	3,089	3,089	3,089
748	1 867 ^R	38	1,654	1,590	Recycling of Solid Waste	17	1,332	1,332	1,332
350	63 ^R	24	437	400	Clean Communities-Administration	17	368	368	368
1,800	4,112 2,597 ^R	-1,220	7,289	2,905	Medical Waste Management	17	—	—	—
—	2,308 1,752 ^R	-3,198	862	—	Control-Solid Waste Resource Management	17	—	—	—
—	442 ^R	—	442	331	Recycling Fees	17	—	—	—
500	—	—	500	500	Hazardous Waste Research	18	500	500	500
150	—	—	150	150	Risk Assessment ^(b)	18	—	—	—
48	—	—	48	47	Geographical Information System Data Base Development ^(b)	18	—	—	—
610	—	—	610	609	Environmental Health Assessment ^(b)	18	—	—	—
—	243	1,890	2,133	2,133	Other Special Purpose	—	1,112	1,562	1,562
23,732	35,057	-7,822	50,967	37,653	<i>Total Special Purpose</i>	—	25,675	25,960	25,960
178	111	-31	258	162	Additions, Improvements and Equipment	—	163	71	71
OTHER RELATED APPROPRIATIONS									
3,500	31,515	-2,750	32,265	8,651	<i>Total State Aid</i>	—	—	—	—
—	8,905	—	8,905	—	<i>Total Capital Construction</i>	—	12,000	7,600	7,600
35,896	76,152	-8,295	103,753	56,601	<i>Total General Fund</i>	—	47,540	42,055	42,055
Federal Funds									
—	73 286 ^R	2	361	230	Radiation Protection	01	1,229	1,274	1,274
—	7 4,656 ^R	-3,078	1,585	1,579	Air Pollution Control	02	2,605	2,605	2,605
—	3 264	—	3	—	Noise Control	03	—	—	—
—	401 ^R	1	666	608	Pesticide Control	04	486	486	486
—	19 799 ^R	2	820	820	Water Supply and Watershed Management	05	13,500	13,500	13,500
—	39 845 ^R	-1	883	879	Public Wastewater Facilities	09	193,000	167,800	167,800
—	24 469 ^R	-1	492	472	Solid Waste Resource Management	17	935	875	875
—	3 325 ^R	-1	327	186	Science and Research	18	1,083	1,560	1,560
—	64 40 ^R	1	105	41	Water Quality Management	22	500	300	300
—	3,783 1,045 ^R	6,297	11,125	8,042	Energy Resource Management	56	5,265	1,415	1,415
—	13,145	3,222	16,367	12,857	<i>Total Federal Funds</i>	—	218,603	189,815	189,815

ENVIRONMENTAL PROTECTION AND ENERGY

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recommended	
					All Other Funds				
—	10,902								
—	3,560 ^R	—	14,462	886	01	3,497	3,937	3,937	
—	—	—	—	—	02	2,406	5,744	5,744	
—	11	—	11	—	04	893	893	893	
—	279								
—	2,948 ^R	116	3,343	3,043	05	5,502	5,888	5,888	
—	207								
—	279 ^R	—	486	434	09	745	621	621	
—	115								
—	135 ^R	—	250	135	17	7,912	5,882	5,882	
—	429								
75 ^S	12 ^R	—	516	13	18	50	140	140	
—	1 ^R	—	1	1	22	25	26	26	
—	281 ^R	1	282	216	56	365	348	348	
—	28								
—	4,169 ^R	1	4,198	3,416	70	3,142	3,400	3,400	
<u>75</u>	<u>23,356</u>	<u>118</u>	<u>23,549</u>	<u>8,144</u>	Total All Other Funds		<u>24,537</u>	<u>26,879</u>	<u>26,879</u>
35,971	112,653	-4,955	143,669	77,602	GRAND TOTAL		290,680	258,749	258,749

- Notes: (a) The fiscal year 1994 appropriation has been adjusted for the allocation of the salary program, which includes \$975,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Employee Benefits accounts.
 (b) Appropriations for the following programs have been allocated to the applicable operating accounts: Risk Assessment (\$150,000), Geographical Information System (\$48,000), and Environmental Health Assessment (\$610,000).

LANGUAGE PROVISIONS

It is recommended that the amount hereinabove for the Toxic Catastrophe Prevention account be payable out of fees received pursuant to the Toxic Catastrophe Prevention Act, P.L. 1985, c.403 (C.13:1K-19 et seq.), and that the unexpended balances in the Toxic Catastrophe Prevention account as of June 30, 1994, together with receipts in excess of the amount anticipated, be appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

It is further recommended that 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 be payable out of the Worker and Community Right to Know Trust Fund and that receipts in excess of the amount anticipated not to exceed \$500,000 be appropriated. If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.

It is further recommended that the amount hereinabove for the Oil Spill Prevention program be payable out of the Spill Compensation Fund, and that receipts in excess of those anticipated from the Spill Compensation Fund for the Oil Spill Prevention program be appropriated, in accordance with the provisions of P.L.1990, c.76, 78 and 80, subject to the approval of the Director of the Division of Budget and Accounting.

It is further recommended that the unexpended balances as of June 30, 1994 in the Medical Waste Management account be appropriated.

It is further recommended that receipts in excess of the amount anticipated from Solid Waste fees and the unexpended balance of such receipts as of June 30, 1994 in the Solid Waste resource management program classification be appropriated.

It is further recommended that receipts in excess of the amount anticipated derived from fees, fines, and penalties from the solid waste industry and the unexpended balance as of June 30, 1994 of such receipts be appropriated.

It is further recommended that the amount hereinabove for the Sanitary Landfill Facility Contingency Fund, Non-Site Specific Administration account, be payable out of the Sanitary Landfill Facility Contingency Fund.

It is further recommended that receipts in excess of the amount anticipated for the Sanitary Landfill Facility Contingency Fund, Non Site Specific Administration account, not to exceed \$60,000, be appropriated.

It is further recommended that there be 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.).

It is further recommended that there be appropriated an amount not to exceed \$235,000 from the Resource Recovery and Solid Waste Disposal Facility Fund 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.

ENVIRONMENTAL PROTECTION AND ENERGY

- It is further recommended that the amount hereinabove for the Recycling of Solid Waste account be payable out of the State Recycling Fund, established pursuant to section 5 of P.L.1981, c.278 (C.13:1E-92 et seq.).
- It is further recommended that the unexpended balance as of June 30, 1994 in the Recycling Fees account, together with fee receipts received pursuant to P.L. 1987 c.102 (C.13:1E-1) in excess of the amount anticipated, be appropriated.
- It is further recommended that 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.), receipts in excess of the amount anticipated for the Recycling of Solid Waste account, not to exceed \$500,000, be appropriated from the State Recycling Fund for Recycling program administration.
- It is further recommended that there be 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 Recycling Act, P.L. 1981, c.278, as amended by P.L. 1985, c.533 (C.13:1E-92 et seq.).
- It is further recommended that the amount hereinabove for the Clean Communities-Administration account be payable out of receipts received pursuant to section 7 of P.L. 1985, c.533 (C.13:1E-99.2). If receipts are less than anticipated, the appropriation shall be reduced proportionately.
- It is further recommended that receipts in excess of the amount anticipated for the Clean Communities-Administration account, not to exceed \$150,000, be appropriated for Clean Communities program administration.
- It is further recommended that receipts deposited to the Resource Recovery Investment Tax Fund and the Solid Waste Services Tax Fund be appropriated.
- It is further recommended that the amount hereinabove for the Solid Waste - Utility Regulation account be payable from assessments against the solid waste industry, and that such other sums as the Director of the Division of Budget and Accounting shall determine be considered as appropriated on behalf of the Solid Waste program under P.L. 1968, c.173 (C48:2-59 et seq.), or other applicable statutes or administrative orders concerning the assessment of public utilities.
- It is further recommended that the amount hereinabove for the Solid and Hazardous Waste Disposal-Disclosure Fund account be payable out of fees received pursuant to the Solid and Hazardous Waste Disposal-Disclosure Act (A-901), and that the unexpended balances in the Solid and Hazardous Waste Disposal-Disclosure Fund account as of June 30, 1994, together with receipts in excess of the amount anticipated, be appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.
- It is further recommended that the amounts hereinabove for the Well Permits, Well Drillers, Excess Diversion, Water Allocation, and Water/Wastewater Operators accounts be payable out of fees received through the Environmental Services Fund, established pursuant to section 5 of P.L. 1975, c.232, (C.13:1D-29 et seq.), and the unexpended balances of the fund as of June 30, 1994, together with any receipts in excess of the amount anticipated be appropriated for those accounts. If the receipts to any of the accounts are less than anticipated, these respective appropriations shall be reduced proportionately.
- It is further recommended that there be appropriated from the Water Supply Fund, created pursuant to section 14 of the "Water Supply Bond Act of 1981," P.L. 1981, c.261, such sums as are necessary for costs attributable to administration of water supply programs including funding for cooperative agreements under the United States Geological Survey (USGS) Program, subject to the approval of the Director of the Division of Budget and Accounting.
- It is further recommended that the amount hereinabove for the Safe Drinking Water Fund account be payable out of receipts, and that the unexpended balances in the Safe Drinking Water Fund account as of June 30, 1994, together with receipts in excess of the amount anticipated, be appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.
- It is further recommended that the amount hereinabove for the Water Supply Management Regulations account be payable out of fees, and that the unexpended balances in the Water Supply Management Regulations account as of June 30, 1994, together with receipts in excess of the amount anticipated, be appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.
- It is further recommended that the amount hereinabove for the Hazardous Waste Research account be 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. If the interest earnings are less than anticipated, the appropriation shall be reduced proportionately.
- It is further recommended that fees in excess of the amount anticipated from Radiation Protection and the unexpended balances of such fee receipts as of June 30, 1994 be appropriated.
- It is further recommended that the amount hereinabove for the Nuclear Emergency Response account be 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 that the unexpended balances as of June 30, 1994 in the Nuclear Emergency Response account, together with receipts in excess of the amount anticipated not to exceed \$600,000, be appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

ENVIRONMENTAL PROTECTION AND ENERGY

It is further recommended that the amount hereinabove for the Laboratory Certification account be payable out of fees, and that the unexpended balance in the Laboratory Certification account as of June 30, 1994, together with receipts in excess of the amount anticipated, be appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

It is further recommended that the amount hereinabove for the Pesticide Fees account be payable out of fees, and that the unexpended balances in the Pesticide Fees account as of June 30, 1994, together with fee receipts in excess of the amount anticipated, be appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

It is further recommended that any funds received by the Wastewater Treatment Trust from any State agency to offset the Trust's annual operating expenses be appropriated.

It is further recommended that there be allocated from funds previously appropriated from the Water Conservation Fund the sum of \$745,000 for costs attributable to planning, engineering, developing and constructing regional wastewater treatment facilities, subject to the approval of the Director of the Division of Budget and Accounting.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

44. SITE REMEDIATION

OBJECTIVES

1. 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.
2. 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.
3. To rank sites which need remediation in order of their risk to humans and the environment to address the "worst sites" first.
4. 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.
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, paid

for through 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 chemical dump sites, and mitigation of imminent discharge hazards. Remedial projects generally follow through four phases: Remedial Investigation/Feasibility Study; Design; Construction; and Operation and Maintenance. These activities are supported by a combination of federal (Superfund) and state funds.
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 EPA 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 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
Negative declarations	705	759	640	640
Remedial action workplan approvals	86	137	140	140

ENVIRONMENTAL PROTECTION AND ENERGY

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
Remediations monitored	378	416	457	457
Remediations completed	99	81	160	160
Discharge Response Element:				
Emergency responses	1,146	1,324	1,260	1,260
Remediations monitored	1,200	1,202	1,250	1,250
Remediations completed	1,447	908	980	980
Responsible Party Cleanup Element:				
Remedial action workplan approvals	35	126	59	59
Remediations monitored	—	316	416	416
Remediations completed	—	122	51	51
Underground Storage Tanks:				
Closure Approvals	3,965	8,398	2,260	2,260
Remedial action workplan approvals	—	18	825	825
Remediations monitored	—	220	160	160
Remediations completed	822	1,418	1,730	1,730

PERSONNEL DATA

Position Data

Filled Positions by Funding Source

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
State Supported	626	500	614	655
Federal	25	35	30	35
All Other	15	145	—	—
Total Positions	666	680	644	690

Filled Positions by Program Class

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
Publicly-Funded Site Remediation	338	336	232	245
Hazardous Waste Management	10	6	6	5
Responsible Party Site Remediation	318	338	406	440
Total Positions	666	680	644	690

Note: Actual fiscal years 1992 and 1993 and Revised fiscal year 1994 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1995 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (B)Emer- gencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recom- mended
9,306	2,010	981	12,297	10,286	Distribution by Program			
<u>19,292</u>	<u>7,774</u>	<u>-187</u>	<u>26,879</u>	<u>21,943</u>	19	13,488	13,453	13,453
28,598	9,784	794	39,176	32,229	27	<u>21,132</u>	<u>21,167</u>	<u>21,167</u>
						34,620^(a)	34,620	34,620
					Distribution by Object			
9,598	21	-949	8,670	7,652	Personal Services:			
—	<u>11</u>	<u>2,188</u>	<u>2,199</u>	<u>2,171</u>		9,708	8,561	8,561
9,598	32	1,239	10,869	9,823		<u>9,708</u>	<u>8,561</u>	<u>8,561</u>
371	122	1	494	377		330	364	364
515	60	47	622	553		809	1,313	1,313
1,447	67	159	1,673	1,653		1,293	1,454	1,454
—	—	—	—	—	Special Purpose:			
					19	5,154	4,641	4,641
621	108 116 ^R	42	887	850				
					19	1,332	1,530	1,530
325	112	—	437	241	19	—	—	—

ENVIRONMENTAL PROTECTION AND ENERGY

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S) Supplemental	Reapp. & (R) Rcpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recommended	
—	13	—	13	—	19	—	—	—	
—	939	—	939	—	19	—	—	—	
—	4 380 ^R	— -376	8	8	19	—	—	—	
1,600	100 400 ^R	5	2,105	2,042	27	—	—	—	
8,154	1,849	-37	9,966	7,385	27	14,218	14,570	14,570	
4,000	3,071 450 ^R	-234	7,287	6,882	27	564	564	564	
1,400	584 1,197 ^R	-24	3,157	1,855	27	983	983	983	
223	—	2	225	97	27	—	—	—	
16,323	9,323	-622	25,024	19,360	<i>Total Special Purpose</i>			22,251	22,288
344	180	-30	494	463	<i>Additions, Improvements and Equipment</i>			229	640

OTHER RELATED APPROPRIATIONS

—	839	—	839	—	<i>Total Capital Construction</i>			
28,598	10,623	794	40,015	32,229	<i>Total General Fund</i>			
Federal Funds								
—	11,213 28,934 ^R	1	40,148	33,798	19	100,000	100,000	100,000
—	—	265	265	265	23	340	360	360
—	7 3,481 ^R	-1	3,487	3,478	27	7,800	7,300	7,300
—	43,635	265	43,900	37,541	<i>Total Federal Funds</i>			
All Other Funds								
—	133 3,174 ^R	—	3,307	2,426	19	1,370	3,043	3,043
—	5,056 3,264 ^R	1	8,321	3,256	27	6,039	11,907	11,907
—	11,627	1	11,628	5,682	<i>Total All Other Funds</i>			
28,598	65,885	1,060	95,543	75,452	GRAND TOTAL			
						150,169	157,230	157,230

- Notes: (a) The fiscal year 1994 appropriation has been adjusted for the allocation of the salary program, which includes \$747,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Employee Benefits accounts.
- (b) Program was funded in Fiscal Year 1993 by an off-budget appropriation. Appropriation data for that fiscal year is reflected in the All Other Funds section.
- (c) The FY 1994 and FY 1995 appropriations for the Protective Clothing, Safety Equipment and Training account, have been collapsed to the Spill Prevention, Response and Site Cleanup, Non-Site Specific Costs account.
- (d) The FY 1994 and FY 1995 appropriations for the Emergency Response Coordination and the Emergency Communication Center accounts, have been collapsed to the Responsible Party Site Remediation account.
- (e) The Site Remediation portion of Industrial Site Recovery Act (ISRA) and Underground Storage Tank (UST) accounts, have been collapsed to the Hazardous Discharge Site Cleanup Fund account for FY 1994 and FY 1995.

ENVIRONMENTAL PROTECTION AND ENERGY

LANGUAGE PROVISIONS

It is recommended that the amount hereinabove for the Spill Prevention, Response and Site Cleanup, Non-Site Specific Costs account be payable out of the New Jersey Spill Compensation Fund, and that receipts in excess of those anticipated for the Spill Prevention, Response and Site Cleanup, Non-Site Specific Costs account, not to exceed \$372,000, be appropriated.

It is further recommended that there be 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.

It is further recommended that the amount hereinabove for Hazardous Discharge Site Cleanup Fund-Responsible Party shall first be charged to responsible party cost recoveries deposited in the "Hazardous Discharge Site Cleanup Fund".

It is further recommended that an amount not to exceed \$23,700,000 be appropriated from responsible party cost recoveries deposited in the "Hazardous Discharge Site Cleanup Fund", 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.

It is further recommended that the amount hereinabove for the Hazardous Waste Bond Administrative Costs account be appropriated from bond proceeds deposited in the "Hazardous Discharge Fund", created pursuant to section 14 of the "Hazardous Discharge Bond Act," P.L. 1981, c.275, or the "Hazardous Discharge Fund of 1986," P.L. 1986, c.113, created pursuant to section 14 of the "Hazardous Discharge Fund Bond Act of 1986," P.L. 1986 c.113, for administrative costs associated with the cleanup of hazardous waste sites, in an amount not to exceed \$4,641,000.

It is further recommended that an amount not to exceed \$485,000 be appropriated from bond proceeds deposited in the "Hazardous Discharge Fund", created pursuant to section 14 of the "Hazardous Discharge Bond Act," P.L. 1981, c.275, or the "Hazardous Discharge Fund of 1986," P.L. 1986, c.113, created pursuant to section 14 of the "Hazardous Discharge Fund Bond Act of 1986," P.L. 1986 c.113, for administrative costs associated with the cleanup of hazardous waste sites.

It is further recommended that receipts derived from the sale of salvaged materials be appropriated to offset costs incurred in the cleanup and removal of hazardous substances.

It is further recommended that the amount hereinabove for the Industrial Site Recovery Act account be payable out of fees and fines received pursuant to the provisions of the Industrial Site Recovery Act, P.L. 1983, c.330 (C.13:1K-6 et al.), and that the unexpended balance as of June 30, 1994 in the Industrial Site Recovery Act account (C.13:1K-6 et seq.), as well as any receipts received in excess of the anticipated amount, be appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

It is further recommended that in addition to site specific charges, an amount not to exceed \$16,100,000 be 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.), subject to the approval of the Director of the Division of Budget and Accounting.

It is further recommended that 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.

It is further recommended that the amount hereinabove for the Underground Storage Tank account be payable out of fees, and that the unexpended balances of such receipts as of June 30, 1994, together with fee receipts in excess of the amount anticipated, be appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

45. ENVIRONMENTAL REGULATION

OBJECTIVES

1. To make decisions that carry out the purposes and requirements of the enabling legislation and regulations.
2. To conduct reviews of permit applications in a manner that promotes meaningful public input.
3. 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.

4. To help permit applicants to comply with applicable requirements and promptly inform them when such compliance does not seem possible.
5. 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.
6. To use available wastewater funds to improve and protect water quality.

ENVIRONMENTAL PROTECTION AND ENERGY

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.
- 08. Water Pollution Control.** Administers the Clean Water Enforcement Act 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 types of wastewater to the surface waters of the State.
- 15. Land Use Regulation.** Protects and manages the State's land and water resources are protected and managed through the administration of riparian, waterfront development, stream encroachment, Coastal Area Development Review Act (CADRA), coastal wetlands and freshwater wetlands laws and regulations.

- 16. Water Monitoring and Planning.** Regulates the discharge of contaminants/toxics from wastewater treatment facilities and the management of residuals, the management of sludge (residuals), and the issuance of stormwater permits. It is also responsible for water quality management planning, non-point source pollution prevention, modeling analysis and data systems management. This program regulates the construction of wastewater treatment facilities and sewer lines and manages the sewer ban program.
- 22. Water Quality Management.** 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 types of wastewater to the surface waters of the State.
- 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 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
PROGRAM DATA				
Air Pollution Control				
Air Pollution Control:				
Applications reviewed	5,504	5,843	6,000	6,200
Land Use Regulation				
Waterfront Development:				
Applications processed	582	721	624	600
Tidelands grants, leases and licenses processed	716	810	770	770
Tidelands appraisals	1,754	1,400	1,300	1,200
Tidelands inspections (inquiries-search)	615	663	640	620
CAFRA Applications processed	54	40	48	2,040
Stream Encroachment:				
Applications processed	918	846	780	750
Freshwater Wetlands:				
Applications processed	2,812	2,910	2,700	2,850
Subsurface Disposal Systems:				
Applications processed	80	90	100	110
Water Quality Management				
Surface Water Discharge Permits:				
Regulated facilities	1,568	1,454	1,550	1,600
Permit actions	401	750	650	800
Hazardous Waste Management				
Waste Management:				
Applications received/approved	12	11	23	19
Hazardous waste manifests-processed	181,521	171,606	175,000	175,000
Waste Classifications processed	554	406	340	300
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	342	410	411	450
Federal	91	86	93	79
All Other	79	27	29	23
Total Positions	512	523	533	552

ENVIRONMENTAL PROTECTION AND ENERGY

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
Filled Positions by Program Class				
Land Use Regulation	164	164	150	150
Water Pollution Control	23	23	22	21
Water Monitoring	57	57	84	68
Water Quality Management	114	114	117	121
Air Pollution Control	78	78	75	102
Hazardous Waste Management	76	87	85	90
Total Positions	512	523	533	552

Note: Actual fiscal years 1992 and 1993 and Revised fiscal year 1994 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1995 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S)Supple- mental	Reapp. & (R)Repts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recom- mended	
Distribution by Program									
2,700	9,457	-2,569	9,588	5,383	02	3,200	3,200	3,200	
—	—	—	—	—	08	550	550	550	
5,990	1,571	-631	6,930	6,718	15	4,980	4,900	4,900	
500	842	24	1,366	1,366	16	700	700	700	
7,227	607	2,362	10,196	9,885	22	8,550	8,550	8,550	
4,890	2,659	-579	6,970	4,917	23	5,898	5,583	5,538	
21,307	15,136	-1,393	35,050	28,269		23,878^(a)	23,483	23,438	
Distribution by Object									
Personal Services:									
3,770	—	-396	3,374	2,486		2,218	2,120	2,120	
—	—	578	578	487		—	—	—	
3,770	—	182	3,952	2,973		2,218	2,120	2,120	
187	—	-27	160	62		203	128	128	
1,034	—	-82	952	801		918	977	977	
516	—	-367	149	112		364	296	296	
Special Purpose:									
2,700	7,047 ^R	-2,569	9,588	5,383	02	3,200	3,200	3,200	
—	—	—	—	—	08	550	550	550	
210	374 ^R	1	587	527	15	310	310	310	
10	10 ^R	—	29	10	15	10	10	10	
75	49 ^R	-2	333	222	15	115	115	115	
1,306	1	-32	1,275	1,268	15	1,306	1,306	1,306	
850	387 ^R	216	1,453	1,442	15	1,000	1,000	1,000	
175	100 ^R	47	324	324	15	185	185	185	
25	—	-1	24	22	15	25	25	25	
1,361	422 ^R	-49	1,738	1,736	15	1,415	1,415	1,415	
500	842 ^R	24	1,366	1,366	16	700	700	700	
7,227	607 ^R	2,362	10,196	9,885	22	8,550	8,550	8,550	
1,000	118 ^R	80	1,198	1,092	23	1,625	1,625	1,625	

ENVIRONMENTAL PROTECTION AND ENERGY

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recommended	
—	250	—	250	172	23	225	250	225	
—	2	—	2	—	23	—	20	—	
—	1,531 758 ^R	-1,027	1,262	743	23	—	—	—	
—	—	—	—	—	—	724	496	496	
15,439	15,136	-950	29,625	24,192	—	19,940	19,757	19,712	
361	—	-149	212	129	—	235	205	205	

OTHER RELATED APPROPRIATIONS

—	50	—	50	50	Total State Aid	—	—	—
21,307	15,186	-1,393	35,100	28,319	Total General Fund	23,878	23,483	23,438
Federal Funds								
—	—	878	878	878	Air Pollution Control	02	1,285	1,285
—	38 2,171 ^R	-267	1,942	1,868	Land Use Regulation	15	4,450	4,431
—	104 3,062 ^R	-157	3,009	2,228	Water Monitoring and Planning	16	6,075	6,075
—	873 3,619 ^R	-1,652	2,840	2,210	Hazardous Waste Management	23	2,985	2,385
—	9,867	-1,198	8,669	7,184	Total Federal Funds	14,795	14,176	14,176
All Other Funds								
—	—	—	—	—	Air Pollution Control	02	994	6,600
—	—	1,389	1,389	1,270	Water Pollution Control	08	450	450
—	138 3,691 ^R	—	3,829	3,692	Land Use Regulation	15	1,323	2,448
—	60 480 ^R	-39	501	400	Water Monitoring and Planning	16	2,100	3,115
—	—	—	—	—	Water Quality Management	22	2,436	2,436
—	8 ^R	—	8	—	Hazardous Waste Management	23	1,207	1,257
—	4,377	1,350	5,727	5,362	Total All Other Funds	8,510	16,306	16,306
21,307	29,430	-1,241	49,496	40,865	GRAND TOTAL	47,183	53,965	53,920

- Notes: (a) The fiscal year 1994 appropriation has been adjusted for the allocation of the salary program, which includes \$842,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Employee Benefits accounts.
- (b) Program was funded in fiscal year 1993 by an off-budget appropriation. Appropriation data for that fiscal year is reflected in the All Other Funds section.
- (c) The appropriation of \$370,000 for Freshwater Wetlands Mapping has been distributed to the applicable operating accounts within the Land Use Regulation program for fiscal years 1993 through 1995.

LANGUAGE PROVISIONS

It is recommended that the amounts hereinabove for the Wetlands and CADRA accounts be payable out of fees received through the Environmental Services Fund, established pursuant to section 5 of P.L. 1975, c.232 (C.13:1D-29 et seq.), and that the unexpended balances of the fund as of June 30, 1994, together with any receipts in excess of the amount anticipated be appropriated for those accounts. If the receipts to any of the accounts are less than anticipated, the respective appropriation shall be reduced proportionately.

It is further recommended that the amount hereinabove for Delineation and Determination of State Riparian Land be provided from receipts derived from the sales, grants, leases, licensing and rentals of State riparian lands and any receipts in excess of such amounts not to exceed \$150,000 be appropriated for the same purpose; provided, however, that should the receipts be insufficient to finance such authorization, sufficient sums be advanced from the General Fund for the same purpose; provided further, however, that any sum so advanced must be returned to the General Fund from future receipts derived from the sales, grants, leases, licensing or rentals of State riparian lands.

ENVIRONMENTAL PROTECTION AND ENERGY

It is further recommended that the unexpended balance as of June 30, 1994 in the Major Hazardous Waste Facilities Siting Act-Siting Commission account be appropriated.

It is further recommended that the amount hereinabove for the Pollution Prevention account be payable out of receipts received pursuant to the Pollution Prevention Act, P.L. 1991, c.235 (C.13:1D-35 et seq.) and that receipts in excess of the amount anticipated, be appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

It is further recommended that the amount hereinabove for the Treatment Works Approval account be payable out of fees, and that the unexpended balances in the Treatment Works Approval account as of June 30, 1994, together with receipts in excess of the amount anticipated, be appropriated. 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 support a communication program which explains the Department's mission to the public and to encourage public participation in the decision-making process.
2. 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.
5. To provide administration and support services to the Board of Regulatory Commissioners.

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.

97. **Regulatory Support Services.** Provides economic analysis of conditions affecting regulated utilities to the Board of Regulatory Commissioners and its technical divisions and conducts audits of regulated utilities.

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 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
PROGRAM DATA				
Management and Administrative Services				
Male Minority	264	259	300	330
Male Minority %	6	7	7	8
Female Minority	412	388	432	470
Female Minority %	10	10	10	12
Total Minority	676	647	732	800
Total Minority %	16	16	18	20
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	433	464	491	508
All Other	7	2	—	—
Total Positions	440	466	491	508
Filled Positions by Program Class				
Management and Administrative Services	351	365	375	400
Regulatory and Governmental Affairs	40	45	54	48
Regulatory Support Services	49	56	62	60
Total Positions	440	466	491	508

Note: Actual fiscal years 1992 and 1993 and Revised fiscal year 1994 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1995 reflects the number of positions funded.

ENVIRONMENTAL PROTECTION AND ENERGY

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recom- mended	
					Distribution by Program				
1,020	4	-246	778	757					
2,684	310	—	2,994	2,709					
<u>3,187</u>	<u>661</u>	<u>3,397</u>	<u>7,245</u>	<u>5,885</u>					
6,891	975	3,151	11,017	9,351					
					Total Appropriation				
					Distribution by Object				
					Personal Services:				
<u>5,015</u>	<u>577</u>	<u>3,323</u>	<u>8,915</u>	<u>7,732</u>		<u>7,622</u>	<u>7,595</u>	<u>7,595</u>	
5,015	577	3,323	8,915	7,732		7,622	7,595	7,595	
75	17	-33	59	10		66	66	66	
1,499	83	-294	1,288	1,152		1,212	1,262	1,262	
36	15	10	61	34		36	36	36	
					Special Purpose:				
73	60 ^R	1	144	140		73	73	73	
—	1	98	99	98		98	98	98	
25	—	—	25	—		25	—	—	
—	2	—	2	—		—	—	—	
<u>—</u>	<u>86^R</u>	<u>-18</u>	<u>68</u>	<u>68</u>		<u>—</u>	<u>—</u>	<u>—</u>	
98	159	81	338	306		196	171	171	
168	124	64	356	117		91	106	106	
					OTHER RELATED APPROPRIATIONS				
3,732	317	—	4,049	3,900		3,732	4,118	3,732	
—	—	—	—	—		527	7,290	1,480	
<u>130,870</u>	<u>—</u>	<u>8,283</u>	<u>139,153</u>	<u>55,811</u>		<u>1,378</u>	<u>1,342</u>	<u>1,342</u>	
141,493	1,292	11,434	154,219	69,062		14,860	21,986	15,790	
					Federal Funds				
—	31	—	37	37		120	—	—	
—	6 ^R	—	—	—		—	—	—	
—	239	—	444	436		—	—	—	
—	205 ^R	—	—	—		—	—	—	
—	481	—	481	473		120	—	—	
					All Other Funds				
—	48	—	356	346		250	250	250	
—	308 ^R	—	—	—		—	—	—	
—	919	1,186	2,105	922		325	331	331	
<u>—</u>	<u>1,275</u>	<u>1,186</u>	<u>2,461</u>	<u>1,268</u>		<u>575</u>	<u>581</u>	<u>581</u>	
141,493	3,048	12,620	157,161	70,803		15,555	22,567	16,371	

Note: (a) The fiscal year 1994 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Employee Benefits accounts.

LANGUAGE PROVISIONS

It is recommended that the amount in the Board of New Jersey Pilot Commissioners account be payable out of receipts, and that any receipts in excess of the amounts specifically set forth above, be appropriated.

It is further recommended that the unexpended balances as of June 30, 1994 in the accounts hereinabove which are applicable to assessments made by the Board of Regulatory Commissioners under P.L. 1968, c.173 (C.48:2-59 et seq.) and P.L. 1972, c.186 (C.48:5A-1 et seq.) be appropriated.

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 and hazardous waste pollution control.
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.
07. **Water Monitoring.** 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 computerized water quality data base systems for both government and public access. Coordinates the development and implementation 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.

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.
15. **Land Use Enforcement.** 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.
22. **Water Quality Management.** Monitors compliance with all permits issued under the New Jersey Pollutant Discharge Elimination System (NJPDES) for surface water, ground water, landfill and indirect discharges to Publicly-Owned Treatment Works.
23. **Hazardous Waste Enforcement.** Conducts compliance evaluation inspections at 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 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
Air Pollution Control				
Investigations and inspections	9,763	12,826	10,000	11,000
Enforcement Actions:				
Administrative orders and notices of violations	1,876	1,462	1,500	1,500
Enforcement conferences	100	92	85	100

ENVIRONMENTAL PROTECTION AND ENERGY

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
Water Monitoring and Planning				
Bioassays completed	20	34	15	40
Ambient fresh water quality samples analyzed	1,137	2,226	2,200	2,200
Ambient Marine Water:				
Water samples analyzed	19,000	10,000	10,000	10,000
Acres evaluated	700,000	700,000	700,000	700,000
Percent open	74	74	75	75
Percent seasonal	3	3	3	3
Percent condemned	23	15	15	15
Percent specially restricted	—	8	7	7
Water Pollution Control				
Complaints investigated	1,959	1,059	1,200	1,200
Enforcement actions issued	1,726	2,246	2,200	2,200
Penalties assessed (millions)	\$16	\$23	\$9	\$9
Penalties collected (millions)	\$14	\$19	\$11	\$8
Coastal Monitoring Stations Evaluated	5,958	5,832	5,832	5,832
Administrative consent orders	93	44	40	40
Operation Clean Shore:				
Miles of beaches cleaned	75	80	70	70
Tons of debris removed	4,600	5,853	5,500	5,500
Land Use Regulation				
Investigations and inspections	2,844	3,200	3,520	4,000
Notice of violations	650	794	500	550
Notices of civil administrative penalty assessment	43	58	75	100
Penalty settlement offers	27	13	15	25
Water Quality Management				
Surface Water Discharge Permits:				
Compliance inspections	3,464	3,495	3,450	3,450
Hazardous Waste Management				
Administrative orders and notices of violations	633	595	605	615
Hazardous Waste transporter registrations	9,000	9,259	9,260	9,260
Annual Inspections	2,480	2,599	2,600	2,600
Penalties assessed (millions)	\$1	\$2	\$2	\$2
Penalties collected (millions)	\$1	\$1	\$1	\$1
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	174	234	230	228
Federal	106	84	95	96
All Other	6	—	—	—
Total Positions	286	318	325	324
Filled Positions by Program Class				
Air Pollution Control	92	92	92	103
Water Monitoring	—	20	39	40
Water Pollution Control	68	68	67	59
Land Use Regulation	37	37	31	35
Water Quality Management	59	59	58	53
Hazardous Waste Management	30	42	38	34
Total Positions	286	318	325	324

Note: Actual fiscal years 1992 and 1993 and Revised fiscal year 1994 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1995 reflects the number of positions funded.

ENVIRONMENTAL PROTECTION AND ENERGY

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S)Supplemental	Reapp. & (R)Repts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recommended	
Distribution by Program									
1,100	1,118	1,537	3,755	3,711	02	3,200	3,200	3,200	
959	—	15	974	965	07	826	826	826	
3,068	18,167	-4,261	16,974	7,801	08	1,500	1,500	1,500	
551	—	630	1,181	1,174	15	1,079	1,079	1,079	
2,819	442	38	3,299	3,295	22	2,943	2,943	2,943	
<u>700</u>	<u>696</u>	<u>553</u>	<u>1,949</u>	<u>1,805</u>	23	<u>1,295</u>	<u>1,295</u>	<u>1,295</u>	
9,197	20,423	-1,488	28,132	18,751		10,843^(a)	10,843	10,843	
Distribution by Object									
Personal Services:									
1,465	—	807	2,272	2,163		2,366	2,249	2,249	
—	—	<u>273</u>	<u>273</u>	<u>254</u>		—	—	—	
1,465	—	1,080	2,545	2,417		2,366	2,249	2,249	
79	—	22	101	95		94	94	94	
43	—	159	202	186		97	117	117	
69	—	43	112	106		92	174	174	
Special Purpose:									
1,100	1,118	1,537	3,755	3,711	02	3,200	3,200	3,200	
3,068	4,666 13,501 ^R	-4,439	16,796	7,634	08	1,500	1,500	1,500	
—	—	178	178	167	08	—	—	—	
40	—	—	40	40	15	40	40	40	
144	—	—	144	144	15	144	144	144	
150	—	—	150	150	15	150	150	150	
217	—	—	217	217	15	217	217	217	
2,819	442	38	3,299	3,295	22	2,943	2,943	2,943	
—	<u>696</u>	<u>-265</u>	<u>431</u>	<u>431</u>	23	—	—	—	
7,538	20,423	-2,951	25,010	15,789		8,194	8,194	8,194	
3	—	159	162	158		—	15	15	
OTHER RELATED APPROPRIATIONS									
<u>1,000</u>	<u>298</u>	<u>2,330</u>	<u>3,628</u>	<u>3,604</u>		<u>1,100</u>	<u>1,100</u>	<u>1,000</u>	
10,197	20,721	842	31,760	22,355		11,943	11,943	11,843	
Federal Funds									
—	—	2,199	2,199	2,199	02	3,500	3,110	3,110	
—	210	—	—	—	07	5,700	4,200	4,200	
—	2,656 ^R	-54	2,812	2,268	08	—	—	—	
—	—	55	55	55	15	400	444	444	
—	—	355	355	355	23	1,866	1,866	1,866	
—	<u>2,866</u>	<u>3,938</u>	<u>6,804</u>	<u>6,260</u>		<u>11,466</u>	<u>9,620</u>	<u>9,620</u>	
All Other Funds									
—	—	—	—	—	02	715	2,725	2,725	
—	20	—	—	—	07	23	25	25	
—	10 ^R	1	31	11	08	6,100	3,400	3,400	
—	2,633	—	2,911	1,104	15	96	110	110	
—	278 ^R	—	—	—		—	—	—	

ENVIRONMENTAL PROTECTION AND ENERGY

Year Ending June 30, 1993					Year Ending June 30, 1995				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		Prog. Class.	1994 Adjusted Approp.	Requested	Recom- mended
—	—	—	—	—	Water Quality Management	22	1,371	1,371	1,371
—	—	—	—	—	Hazardous Waste Management	23	425	475	475
—	<u>2,941</u>	<u>1</u>	<u>2,942</u>	<u>1,115</u>	<i>Total All Other Funds</i>		<u>8,730</u>	<u>8,106</u>	<u>8,106</u>
<u>10,197</u>	<u>26,528</u>	<u>4,781</u>	<u>41,506</u>	<u>29,730</u>	GRAND TOTAL		<u>32,139</u>	<u>29,669</u>	<u>29,569</u>

Note: (a) The fiscal year 1994 appropriation has been adjusted for the allocation of the salary program, which includes \$259,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Employee Benefits accounts.

LANGUAGE PROVISIONS

It is recommended that of the amount hereinabove for Land Use Regulation, \$528,000 first be charged to receipts derived from the sales, grants, leases, licensing and rentals of State riparian lands as reimbursement for staff and administrative costs necessary for managing and providing proper surveillance and enforcement of State rights over the use of State-owned riparian lands.

It is further recommended that receipts deposited into the Coastal Protection Trust Fund pursuant to P.L. 1993, c.168 (N.J.S.A. 39:3-27.47 et seq.) be appropriated in an amount not to exceed \$600,000 for the cleanup or maintenance of beaches or shores and in an amount not to exceed \$200,000 for the cost of providing monitoring, surveillance and enforcement activities of the Cooperative Coastal Monitoring Program. Receipts deposited to the Coastal Protection Trust Fund in excess of \$800,000 are appropriated in an amount not to exceed \$50,000 to implement the provisions of the "New Jersey Adopt A Beach Act", P.L. 1992, c.213 (N.J.S.A. 13:19-22 et seq.) and to finance emergency shore protection projects and the cleanup of discharges into the ocean.

50. ECONOMIC PLANNING, DEVELOPMENT AND SECURITY

52. ECONOMIC REGULATION

OBJECTIVES

1. To ensure that utility services are provided at reasonable, non-discriminatory rates to all members of the public who desire such services.
2. To provide a comprehensive energy supply and demand strategy that allows for responsible and necessary economic growth and development without compromising the environment and quality of life in New Jersey.
3. To ensure that New Jersey has available adequate and economical natural gas supplies to meet its home heating requirements, industrial load and an ever growing alternative power production industry.
4. To assist in the development of a state-of-the-art telecommunications network that permits the timely introduction and marketing of new and advanced technology. In addition, seek to ensure the full utilization of such network by all segments of our society regardless of income status or physical disabilities.
5. To ensure that New Jersey residents have economical and environmentally safe water supplies, that are provided through strict compliance with the State's Safe Drinking Water Act by all private and public water purveyors under the Board's jurisdiction.
6. To provide adequate, economical and efficient cable television service, with a degree of uniform operation, and the protection of the municipality in the franchise process. In addition, the Board will seek to ensure the responsiveness of cable operators to subscriber's complaints and needs, and the availability of competitively priced alternative television program packaging.

PROGRAM CLASSIFICATIONS

54. **Utility Regulation.** The Board of Regulatory Commissioners controls, through its rate approval process, the charges paid by the public for gas, electric, water, sewer, telephone, telegraph, and pipeline services. A uniform system of accounts and quarterly and annual financial statements and reports are required for disclosure and to permit intelligent public participation in the process. Filings for both rate and fuel adjustment charge changes are approved only to generate sufficient revenues to cover allowable expenses and an equitable return on investment.

The Board assures the safety, adequacy and availability of utility services by conducting hearings which result in the promulgation of rules, regulations and orders, and their enforcement through inspections and investigations. Regular tests are conducted by engineering personnel to minimize the possibility of disruptions or discontinuance of essential services.

55. **Regulation of Cable Television.** Assists local jurisdictions in preparing legislation, franchise agreements and consents; regulates operating and competitive practices to assure reasonable uniformity, reliability, economy and quality of cable television services; cooperates with other states and the Federal government in promoting and coordinating beneficial uses of cable television through balanced programming, including local and educational services.
99. **Management and Administrative Services.** The Board of Regulatory Commissioners is a regulatory authority with a statutory mandate to ensure safe, adequate, and proper public utility service at the most equitable rates for all

ENVIRONMENTAL PROTECTION AND ENERGY

customers in New Jersey. Specifically, the Board has regulatory authority over the electric, gas, telecommunications, water and sewer, and cable television industries. To accomplish its mandate, the Board regulates rates for such utilities by conducting comprehensive reviews to determine

the fairness and reasonableness of rates. The Board also has general supervisory responsibility for monitoring utility service, responding to utility consumer complaints and investigating utility accidents.

EVALUATION DATA

	Actual FY 1992	Actual FY 1993	Revised FY 1994	Budget Estimate FY 1995
PROGRAM DATA				
Utility Regulation				
Electric	5	5	5	5
Gas	5	5	5	5
Telephone and Telegraph	16	20	26	26
Water and Sewer	97	95	130	130
Municipal Water Companies	170	171	171	171
Cases Pending June 30				
Electric	64	84	90	90
Gas	86	90	90	90
Telephone	52	82	100	100
Water and Sewer	96	96	106	106
Regulation of Cable Television				
Cable TV, cases pending June 30	135	150	195	195
Cable Television Systems	48	48	48	48
Cable Television Subscriptions	1,994,856	2,074,650	2,157,636	2,157,636

PERSONNEL DATA

Position Data

Filled Positions by Funding Source

State Supported	150	158	166	170
-----------------------	-----	-----	-----	-----

Filled Positions by Program Class

Utility Regulation	94	99	102	104
Regulation of Cable Television	20	22	30	30
Management and Administrative Services	36	37	34	36
Total Positions	150	158	166	170

Note: Actual fiscal years 1992 and 1993 and Revised fiscal year 1994 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1995 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1993					Year Ending June 30, 1995			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recom- mended
Distribution by Program								
5,446	337	100	5,883	5,191	54	5,529	5,498	5,498
1,037	247	15	1,299	1,082	55	1,316	1,317	1,317
<u>3,913</u>	<u>230</u>	<u>185</u>	<u>4,328</u>	<u>4,014</u>	99	<u>4,218</u>	<u>4,276</u>	<u>4,276</u>
10,396	814	300	11,510	10,287		11,063^(a)	11,091	11,091
Distribution by Object								
Personal Services:								
<u>9,710</u>	<u>431</u>	<u>296</u>	<u>10,437</u>	<u>9,651</u>		<u>10,390</u>	<u>10,165</u>	<u>10,165</u>
9,710	431	296	10,437	9,651		10,390	10,165	10,165
242	85	-56	271	139		267	265	265
259	158	6	423	284		282	477	477
44	22	2	68	45		44	44	44

ENVIRONMENTAL PROTECTION AND ENERGY

Year Ending June 30, 1993					Year Ending June 30, 1995			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1994 Adjusted Approp.	Requested	Recommended
—	1 ^R	4	5	—	Special Purpose: Control-Utility Regulation	54	—	—
—	27 49 ^R	-66	10	—	Control-Regulation of Cable Television	55	—	—
—	4 14 ^R	—	18	—	Control-Management and Administrative Services	99	—	—
—	95	-62	33	—	<i>Total Special Purpose</i>	—	—	—
141	23	114	278	168	Additions, Improvements and Equipment	80	140	140

OTHER RELATED APPROPRIATIONS

					Federal Funds				
—	174 ^R	-1	173	32	Utility Regulation	54	250	300	300
—	174	-1	173	32	<i>Total Federal Funds</i>	—	250	300	300
10,396	988	299	11,683	10,319	GRAND TOTAL	—	11,313	11,391	11,391

Note: (a) The fiscal year 1994 appropriation has been adjusted for the allocation of the salary program and has been reduced to reflect the transfer of funds to the Employee Benefits accounts.

LANGUAGE PROVISIONS

It is recommended that, in addition to the sum hereinabove, such other sums as the Director of the Division of Budget and Accounting shall determine, be considered as appropriated on behalf of the Board of Regulatory Commissioners under P.L.1968, c.173 (C48:2-59 et seq.) and P.L.1972, c.186 (C48:5A-32 et seq.), or other applicable statutes with respect to assessment of public utilities or the cable television industry.

It is further recommended that the unexpended balance as of June 30, 1994 in these accounts be appropriated.

It is further recommended that receipts derived from fees, fines and penalties be appropriated and the unexpended balance as of June 30, 1994 of such receipts be appropriated.

It is further recommended that fees received from the "Electric Facility Need Assessment Act", P.L.1983, c.115(C48:7-16 et seq.) be appropriated.

153,819	88,526	-4,773	237,572	193,534	Total Appropriation, Department of Environmental Protection and Energy	170,998	169,444	168,931
---------	--------	--------	---------	---------	---	---------	---------	---------

DEPARTMENT OF ENVIRONMENTAL PROTECTION

It is recommended that the amount hereinabove for the Air Pollution Monitoring and Control Programs account be payable out of the receipts generated through licensing fees and penalties, and that the unexpended balances in the Air Pollution Monitoring and Control Programs account as of June 30, 1994, together with receipts in excess of the amount anticipated, be appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

It is further recommended that the amounts hereinabove for the Surface Water Discharge Permits accounts be payable out of fees received pursuant to the provisions of the Water Pollution Control Act, P.L. 1977, c.74 (C.58:10A-1 et seq.), and that the unexpended balances as of June 30, 1994 in the Surface Water Discharge Permits accounts, as well as any receipts received in excess of the respective anticipated amounts, be appropriated for such purposes. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

It is further recommended that receipts in excess of the amount anticipated from hazardous waste fees and the unexpended balance of such fees as of June 30, 1994, be appropriated for hazardous waste management program activities, subject to the approval of the Director of the Division of Budget and Accounting.

ENVIRONMENTAL PROTECTION AND ENERGY

It is further recommended that the amounts hereinabove for the Waterfront Development and Stream Encroachment accounts be payable out of fees received through the Environmental Services Fund, established pursuant to section 5 of P.L. 1975, c.232 (C.13:1D-29 et seq.), and that the unexpended balances of the fund as of June 30, 1994, together with any receipts in excess of the amount anticipated be appropriated for those accounts. If the receipts to any of the accounts are less than anticipated, the respective appropriation shall be reduced proportionately.

It is further recommended that the amount hereinabove for the Freshwater Wetlands Fees account be payable out of fees received pursuant to the Freshwater Wetlands Protection Act (P.L.1987, c.156), and that the unexpended balances in the Freshwater Wetlands Fees account as of June 30, 1994, together with receipts in excess of the amount anticipated, be appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

It is further recommended that the amounts hereinabove for the Water Pollution Control Program accounts be payable out of penalties received pursuant to the Clean Water Enforcement Act, and that the unexpended balances in the Water Pollution Control Program accounts as of June 30, 1994, together with penalty receipts in excess of the amount anticipated, be appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

It is further recommended that the amount hereinabove for the Tidelands Peak Demands account be payable out of receipts derived from the sales, grants, leases, licensing, and rentals of State riparian lands, and that receipts in excess of the amount anticipated, not to exceed \$422,000, be appropriated.