

## DEPARTMENT OF ENVIRONMENTAL PROTECTION OVERVIEW

The Department of Environmental Protection (DEP) safeguards the environment through its permitting and enforcement activities, oversees the remediation of sites contaminated by hazardous waste, regulates the use of environmentally sensitive land, manages the State's parks and forests, and protects and renews New Jersey's beaches. The fiscal 1998 Budget recommendation of \$256 million includes \$180 million in Direct State Services, \$7.8 million in State Aid, \$2.4 million in Grants-In-Aid, and \$66 million in Capital. Collectively, this represents an increase of \$31 million (14 percent) over fiscal 1997.

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 its' programs provide services which have common characteristics and may be grouped under broad functional headings.

In November 1996, voters approved an amendment to the State Constitution dedicating 4 percent of the State's Corporate Business Tax for hazardous waste cleanup, underground storage tank remediation, and water monitoring. As a result, the Department's State appropriations for these programs will increase by a total of approximately \$82 million in fiscal 1997 (\$29.6 million) and fiscal 1998 (\$51.9 million). Of the \$82 million, \$27 million will be provided as loans and grants to private owners of underground storage tanks, \$37 million will provide pay-as-you-go funding for major cleanup projects undertaken by DEP, \$10 million will finance the cost of water pollution monitoring and watershed based planning, and the remainder will be used for administrative costs relative to cleanup projects. Future appropriations will be predicated on the value of the State's Corporate Business Tax.

The fiscal 1998 Budget includes a total of \$39 million for permitting programs, including Air Pollution, Water Pollution, Hazardous Waste, Solid Waste, Water Supply, and Land Use Regulation. The Department is exploring ways to make the permitting process more responsive, timely, and efficient, including a significant investment to integrate the supporting database systems. By the end of fiscal 1998, DEP will have a fully operational masterfile system, and the Air Pollution and Water Pollution systems will be completely integrated.

The long-term goal of the Site Remediation program is to restore contaminated sites to protect human health and the environment. The fiscal 1998 budget appropriates \$78.1 million for Site Remediation. This includes \$36 million for staff costs, nearly all of which is derived from non-State funding sources such as the Spill Compensation Fund and cost recoveries from responsible parties. In addition, \$42.2 million is provided for project costs to remediate underground storage tanks and major site cleanups.

The Enforcement Policy programs are revising the way they enforce the State's environmental regulations. DEP has established an Alternative Dispute Resolution process to decrease the number of enforcement actions which are adjudicated. Mediation and other dispute resolution techniques are employed to resolve cases quickly, before they result in costly litigation and without impacting the environment. This new approach has lessened the burden of fines on the regulated community in New Jersey. A total of \$16.1 million is appropriated for Enforcement activities in fiscal 1998.

The fiscal 1998 Budget also provides continuation funding of \$74.1 million for Natural Resource programs, including the Division of Parks and Forestry. This level of funding, which includes \$21 million in Capital, will support the State's parks and forests in order to provide a wide range of recreational and educational opportunities.

Resources are also provided to protect our coastal areas. Shore protection funding needs are often the result of unpredictable harsh weather in the coastal regions. Hurricanes, storms, and tides dictate the types of projects conducted in any year, including beach nourishment, beach fill, artificial reef placement, and erosion control. DEP will receive a capital appropriation of \$15 million for these needs in fiscal 1998.

The fiscal 1998 budget also includes a number of new initiatives for the Department. A total of \$2 million has been added to accelerate completion of the Hudson River Walkway in Liberty State Park. New funding is also available for in lieu of tax payments to localities on open space acquired by the State (\$525,000), to expand recreational trails and to complete the Sussex Branch Trail in Sussex and Morris Counties (\$350,000), to update critical land use information (\$255,000), to assess the health of aquatic life in the State's waterways (\$200,000), and to implement the Heavy Duty Diesel inspection program (\$200,000).

# ENVIRONMENTAL PROTECTION

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

Year Ending June 30, 1996					Year Ending June 30, 1998			
Orig. & (S) Supplemental	Reapp. & (R) Repts.	Transfers & (E) Emergencies	Total Available	Expended	1997 Adjusted Approp.	Requested	Recommended	
694	124	—	818	747	<b>Natural Resource Management</b>			
5,668	—	150	5,818	5,739	Marina Operations	692	692	692
29,921	23	-53	29,891	28,503	Forest Resource Management	5,656	5,656	5,656
10,975	3,096	91	14,162	12,217	Parks Management	28,055	28,405	28,405
1,287	2	—	1,289	1,281	Hunters' and Anglers' License Fund	10,945	10,945	10,945
					Shellfish and Marine Fisheries Management	1,283	1,283	1,283
312	332	—	644	617	Wildlife Management	312	312	312
2,042	6	1,127	3,175	2,667	Natural Resources Engineering	1,782	1,782	1,782
2,229	—	—	2,229	2,148	Palisades Interstate Park Commission	1,813	1,813	1,813
<u>53,128</u>	<u>3,583</u>	<u>1,315</u>	<u>58,026</u>	<u>53,919</u>	<i>Subtotal</i>	<u>50,538</u>	<u>50,888</u>	<u>50,888</u>
					<b>Science and Technical Programs</b>			
5,490	205	-42	5,653	5,345	Radiation Protection	5,014	3,994	3,994
7,463	236	-561	7,138	6,954	Air Pollution Control	6,906	7,204	7,204
3,020	116	-41	3,095	2,959	Pesticide Control	2,775	2,826	2,826
479	107	—	586	550	Water Supply and Watershed Management	479	479	479
841	1	239	1,081	1,072	Water Monitoring and Planning	1,197	1,197	1,197
2,300	80	-154	2,226	2,172	Science and Research	2,099	2,554	2,554
—	—	250	250	250	Water Quality Management	369	369	369
—	—	—	—	—	Environmental Remediation and Monitoring	4,900	5,000	5,000
185	—	595	780	780	Management Policy and Planning	1,387	1,306	1,306
<u>19,778</u>	<u>745</u>	<u>286</u>	<u>20,809</u>	<u>20,082</u>	<i>Subtotal</i>	<u>25,126</u>	<u>24,929</u>	<u>24,929</u>
					<b>Site Remediation</b>			
13,027	401	2,034	15,462	14,811	Publicly-Funded Site Remediation	11,652	11,491	11,491
21,337	4,868	-259	25,946	25,861	Responsible Party Site Remediation	19,553	19,714	19,714
—	—	—	—	—	Environmental Remediation and Monitoring	2,700	4,700	4,700
<u>34,364</u>	<u>5,269</u>	<u>1,775</u>	<u>41,408</u>	<u>40,672</u>	<i>Subtotal</i>	<u>33,905</u>	<u>35,905</u>	<u>35,905</u>
					<b>Environmental Regulation</b>			
5,753	19	-668	5,104	4,924	Air Pollution Control	5,095	5,498	5,498
7,766	361	1	8,128	7,031	Water Supply and Watershed Management	7,137	7,135	7,135
9,092	—	260	9,352	8,880	Water Pollution Control	7,456	7,409	7,409
628	48	—	676	677	Public Wastewater Facilities	628	628	628
6,181	902	—	7,083	6,940	Land Use Regulation	6,060	6,001	6,001
9,599	776	-754	9,621	8,620	Solid Waste Resource Management	6,339	6,324	6,324
4,297	203	-75	4,425	4,104	Hazardous Waste Management	3,449	3,402	3,402
<u>43,316</u>	<u>2,309</u>	<u>-1,236</u>	<u>44,389</u>	<u>41,176</u>	<i>Subtotal</i>	<u>36,164</u>	<u>36,397</u>	<u>36,397</u>
					<b>Environmental Planning and Administration</b>			
2,565	61	-234	2,392	2,375	Regulatory and Governmental Affairs	2,152	1,755	1,755
15,639	431	1,475	17,545	16,789	Management and Administrative Services	18,533	16,443	16,443
<u>18,204</u>	<u>492</u>	<u>1,241</u>	<u>19,937</u>	<u>19,164</u>	<i>Subtotal</i>	<u>20,685</u>	<u>18,198</u>	<u>18,198</u>

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 1996					Year Ending June 30, 1998		
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	1997 Adjusted Approp.	Requested	Recom- mended
2,264	—	761	3,025	2,979	<b>Enforcement Policy</b>		
6,944	25	217	7,186	7,026	2,545	2,590	2,590
1,191	12	100	1,303	1,271	5,831	5,831	5,831
2,443	—	75	2,518	2,498	1,473	1,529	1,529
1,220	8	-32	1,196	1,170	2,317	2,317	2,317
					1,347	1,347	1,347
<i>14,062</i>	<i>45</i>	<i>1,121</i>	<i>15,228</i>	<i>14,944</i>	<i>13,513</i>	<i>13,614</i>	<i>13,614</i>
<b>182,852</b>	<b>12,443</b>	<b>4,502</b>	<b>199,797</b>	<b>189,957</b>	<b>179,931</b>	<b>179,931</b>	<b>179,931</b>
					<i>Subtotal</i>		
					<b>Total Appropriation</b>		

# ENVIRONMENTAL PROTECTION

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## 40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

### 42. NATURAL RESOURCE MANAGEMENT

#### OBJECTIVES

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

#### PROGRAM CLASSIFICATIONS

10. **Marina Operations.** Operates and maintains State marinas in a clean, safe and non-discriminatory manner for all boat owners and visitors. Safe moorings are provided for boaters during heavy storms.
11. **Forest Resource Management.** The State Forestry Service manages and protects the rural and urban forest resources of New Jersey. The Forest Fire Service is mandated to prevent, manage and suppress wildfire on or threatening 3.1 million acres of State and private forest and wildlands of New Jersey. The Forest Service promotes forestry by providing both State and federal programs in urban and community forestry; forest products conservation and recycling; private non-industrial forest lands management; forest insect and disease control; forest conservation and education; reforestation and tree improvement; and State lands management.
12. **Parks Management.** Operates and maintains 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.** Manages the marine shellfish and finfish resources of the State through research, monitoring, habitat protection, licensing and regulatory programs. Clam and oyster grounds are leased to commercial shellfishermen for aquaculture activities. Programs (relay and depuration) also provide for the safe utilization of shellfish from marginally polluted areas. Marine fisheries programs support the effective management of the numerous migratory species on a coastwide basis. An artificial reef program constructs fisheries habitat in ocean areas to enhance productivity, thus providing additional fishing and diving opportunities.
20. **Wildlife Management.** Conducts wildlife research to protect, manage, and use the State's non-game endangered species. Additional responsibilities include permit review for wildlife possession, bird banding, scientific collection and public information.
21. **Natural Resources Engineering.** Develops, maintains, dredges and marks navigation channels on 200 miles of tidal inland waterways and large State-controlled lakes for the safety and protection of the boating public and industries. Provides financial assistance to local governments with the construction of groins, jetties, bulkheads, seawalls, and beach replenishment under the shore protection program, carries out various dam safety inspections, and administers flood control and harbor cleanup programs.
24. **Palisades Interstate Park Commission.** Operates and maintains existing parks and historic sites in a clean, safe, and non-discriminatory manner for all visitors; plans for the improvement and development of new facilities; maintains highways, bridges, landscaped areas, signs, and traffic lines to ensure the safety of the monitoring public. Enforces traffic laws on the Palisades Parkway and all other roads within the Commission's boundaries; polices Commission lands to ensure that park facilities are utilized in accordance with laws, statutes, and Commission regulations; maintains a police court with the powers and jurisdiction of a municipal court with respect to crimes, disorderly conduct, and violations of the motor vehicle and traffic or other laws of the State or of any of the rules and regulations of the Commission.

# ENVIRONMENTAL PROTECTION

## EVALUATION DATA

	Actual FY 1995	Actual FY 1996	Revised FY 1997	Budget Estimate FY 1998
<b>PROGRAM DATA</b>				
<b>Marina Operations</b>				
Marinas operated .....	4	4	4	4
Marina berths in service .....	1,070	1,070	1,070	1,070
<b>Forest Resource Management</b>				
Fires (annual) .....	1,742	897	1,875	1,875
Acres lost (annual) .....	21,538	1,005	11,590	11,590
Trees planted .....	700,000	710,000	700,000	700,000
Urban forest assists .....	408	423	500	500
Seedling production .....	609,000	650,000	650,000	650,000
<b>Parks Management</b>				
State parks and forests				
Total visitors .....	13,228,453	13,275,652	13,300,000	13,350,000
Total revenue .....	\$4,247,472	\$4,118,305	\$4,120,000	\$4,120,000
Historic sites .....	27	27	27	27
Visitors .....	370,000	370,000	370,000	370,000
Revenue .....	\$23,000	\$23,000	\$23,000	\$23,000
<b>Hunters' and Anglers' License Fund</b>				
Trout propagated and distributed .....	791,000	770,000	750,000	750,000
Pheasants reared at game farms .....	55,000	55,200	55,000	50,000
Other fish propagated and distributed .....	889,000	1,342,000	500,000	500,000
<b>Shellfish and Marine Fisheries Management</b>				
Licenses .....	17,696	17,260	17,000	17,000
<b>Natural Resources Engineering</b>				
Channel miles managed .....	400	400	400	400
<b>Palisades Interstate Park Commission</b>				
Park Attendance .....	1,950,000	1,950,000	1,950,000	1,950,000
Cars on parkway .....	24,500,000	24,500,000	24,500,000	24,500,000
Roads and paths (miles) .....	25	25	25	25
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
Filled Positions by Funding Source				
State Supported .....	767	863	852	897
Federal .....	30	35	27	26
All Other .....	109	9	6	7
Total Positions .....	906	907	885	930
Filled Positions by Program				
Marina Operations .....	17	17	17	17
Forest Resource Management .....	95	104	102	104
Parks Management .....	478	473	464	492
Hunters' and Anglers' License Fund .....	211	210	204	206
Shellfish and Marine Fisheries Management .....	36	38	36	39
Natural Resources Engineering .....	58	53	51	57
Wildlife Management .....	11	12	11	15
Total Positions .....	906	907	885	930

Notes: Actual fiscal years 1995 and 1996 and Revised fiscal year 1997 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1998 reflects the number of positions funded.

# ENVIRONMENTAL PROTECTION

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1996					Year Ending June 30, 1998				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1997 Adjusted Approp.	Requested	Recommended	
<b>Distribution by Program</b>									
694	124	—	818	747	10	692	692	692	
5,668	—	150	5,818	5,739	11	5,656	5,656	5,656	
29,921	23	-53	29,891	28,503	12	28,055	28,405	28,405	
10,975	3,096	91	14,162	12,217	13	10,945	10,945	10,945	
1,287	2	—	1,289	1,281	14	1,283	1,283	1,283	
312	332	—	644	617	20	312	312	312	
2,042	6	1,127	3,175	2,667	21	1,782	1,782	1,782	
<u>2,229</u>	<u>—</u>	<u>—</u>	<u>2,229</u>	<u>2,148</u>	24	<u>1,813</u>	<u>1,813</u>	<u>1,813</u>	
<b>53,128</b>	<b>3,583</b>	<b>1,315</b>	<b>58,026</b>	<b>53,919</b>		<b>50,538<sup>(a)</sup></b>	<b>50,888</b>	<b>50,888</b>	
<b>Distribution by Object</b>									
Personal Services:									
36,130	587	—	—	—		—	—	—	
1,200 <sup>S</sup>	894 <sup>R</sup>	-195	38,616	35,242		34,760	33,820	33,820	
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>2,052</u>		<u>—</u>	<u>—</u>	<u>—</u>	
<b>37,330</b>	<b>1,481</b>	<b>-195</b>	<b>38,616</b>	<b>37,294</b>		<b>34,760</b>	<b>33,820</b>	<b>33,820</b>	
3,551	897	-76	4,372	3,795		3,717	4,283	4,283	
2,208	129	25	2,362	2,182		1,988	2,038	2,038	
2,460	583	229	3,272	2,902		2,577	2,785	2,785	
Special Purpose:									
1,025	—	—	1,025	986	11	1,025	1,025	1,025	
420	—	—	420	368		—	—	—	
—	—	—	—	—	12	420	420	420	
60 <sup>S</sup>	—	—	60	60	12	—	350	350	
3,848	—	—	3,848	3,159	12	3,848	3,848	3,848	
22	—	—	22	22	12	22	22	22	
178	—	—	178	163	12	178	178	178	
90	—	—	90	89	12	90	90	90	
5	—	—	5	—	12	5	5	5	
20	—	—	20	19	12	20	20	20	
150	—	—	150	150	12	—	—	—	
22	—	34	56	56	12	—	—	—	
200	—	96	296	296	12	—	—	—	
312	332	—	644	617	20	312	312	312	
250	—	—	250	1	21	—	—	—	
—	—	276	276	275	21	—	—	—	
242	—	—	242	207	21	242	242	242	
263	—	—	263	176	21	263	263	263	
<u>143</u>	<u>—</u>	<u>—</u>	<u>143</u>	<u>100</u>	21	<u>143</u>	<u>143</u>	<u>143</u>	
7,250	332	406	7,988	6,744		6,568	6,918	6,918	
329	161	926	1,416	1,002		928	1,044	1,044	

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Year Ending June 30, 1996					Year Ending June 30, 1998			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1997 Adjusted Approp.	Requested	Recom- mended
<b>OTHER RELATED APPROPRIATIONS</b>								
---	---	---	---	---		360	2,000	2,000
---	150	---	150	150		---	---	---
<u>18,300</u>	<u>8,025</u>	<u>-955</u>	<u>25,370</u>	<u>14,098</u>		<u>15,075</u>	<u>32,700</u>	<u>21,190</u>
71,428	11,758	360	83,546	68,167		65,973	85,588	74,078
<b>Federal Funds</b>								
2,130						2,231		
30 <sup>S</sup>	743	---	2,903	1,120	Forest Resource Management	4 <sup>S</sup>	1,621	1,621
8,685	329	---	9,014	1,592	Parks Management	12	18,542	21,085
8,210	2,445	---	10,655	4,038	Hunters' and Anglers' License Fund	13	47 <sup>S</sup>	21,085
6,090	1,148	---	7,238	1,878	Shellfish and Marine Fisheries Management	14	8,071	9,271
<u>200</u>	<u>182</u>	<u>---</u>	<u>382</u>	<u>188</u>	Natural Resources Engineering	21	525 <sup>S</sup>	9,271
25,345	4,847	---	30,192	8,816	<b>Total Federal Funds</b>		5,410	5,680
						<u>200</u>	<u>200</u>	<u>200</u>
						35,030	37,857	37,857
<b>All Other Funds</b>								
---	319							
---	353 <sup>R</sup>	26	698	---	Marina Operations	10	355	355
---	288	---	336	137	Parks Management	12	44	27
---	48 <sup>R</sup>	---	336	137	Parks Management	12	44	27
---	6,371							
---	211 <sup>R</sup>	274	6,856	406	Hunters' and Anglers' License Fund	13	547	557
---	348	---	764	319	Shellfish and Marine Fisheries Management	14	231	206
---	416 <sup>R</sup>	---	764	319	Shellfish and Marine Fisheries Management	14	231	206
---	781							
---	550 <sup>R</sup>	40	1,371	361	Wildlife Management	20	591	535
---	474	---	1,010	442	Natural Resources Engineering	21	---	---
---	536 <sup>R</sup>	---	1,010	442	Natural Resources Engineering	21	---	---
---	703	---	3,276	2,659	Palisades Interstate Park Commission	24	3,046	3,083
---	2,573 <sup>R</sup>	---	3,276	2,659	Palisades Interstate Park Commission	24	3,046	3,083
---	<u>13,971</u>	<u>340</u>	<u>14,311</u>	<u>4,324</u>	<b>Total All Other Funds</b>		<u>4,814</u>	<u>4,763</u>
96,773	30,576	700	128,049	81,307	<b>GRAND TOTAL</b>		105,817	116,698

Notes: (a) The fiscal 1997 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Employee Benefits and Salary Increases and Other Benefits accounts.

## LANGUAGE RECOMMENDATIONS

An amount equivalent to 75% of receipts in excess of the amount anticipated from fees and permit receipts from the use of State park and marina facilities, and the unexpended balance as of June 30, 1997 of such receipts, are appropriated for Parks Management, subject to the approval of the Director of the Division of Budget and Accounting.

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

The amount hereinabove for the Historic Trust Administrative Costs account is appropriated from the "Historic Preservation Fund" established pursuant to the "Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992," P.L.1992, c.88, and the "Green Acres, Historic Preservation and Blue Acres Bond Act of 1995," P.L.1995, c.204, together with an amount not to exceed \$209,000 subject to the approval of the Director of the Division of Budget and Accounting, for costs attributable to planning, administrative, organization, and operating expenses related to historic preservation projects.

# ENVIRONMENTAL PROTECTION

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The amount hereinabove for the Green Acres Administration account is appropriated from the 1992 New Jersey Green Acres Fund and the 1992 New Jersey Green Trust Fund pursuant to the "Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992," P.L.1992, c.88, and the 1995 New Jersey Green Acres Fund and the 1995 New Jersey Green Trust Fund pursuant to the "Green Acres, Historic Preservation and Blue Acres Bond Act of 1995," P.L.1995, c.204, together with an amount not to exceed \$2,083,000 subject to the approval of the Director of the Division of Budget and Accounting, for the administration of the Green Acres program.

Receipts from police court, stands, concessions and self-sustaining activities operated or supervised by the Palisades Interstate Park Commission, and the unexpended balance as of June 30, 1997 of such receipts, are appropriated.

The amount hereinabove for the Hunters' and Anglers' License Fund is payable out of said Fund and any amount remaining therein and the unexpended balance as of June 30, 1997 in the Hunters' and Anglers' License Fund, together with any receipts in excess of the amount anticipated, are appropriated. If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.

The amount hereinabove for the Endangered Species Tax Check-Off Donations account is payable out of receipts, and the unexpended balances in the Endangered Species Tax Check-Off Donations account as of June 30, 1997, together with receipts in excess of the amount anticipated, are appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

An amount not to exceed \$1,122,000 is allocated from the capital construction appropriation for Shore Protection Fund Projects for costs attributable to planning, operation, and administration of the shore protection program, subject to the approval of the Director of the Division of Budget and Accounting.

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

The amount hereinabove for the Emergency Flood Control Administrative Costs account is appropriated from funds previously appropriated from the Emergency Flood Control Fund created pursuant to P.L.1978, c.78, together with an amount not to exceed \$158,000 subject to the approval of the Director of the Division of Budget and Accounting, for administrative costs related to this bond fund.

The amounts hereinabove for the Harbor Cleanup Administrative Costs and the Dam Repair Administrative Costs accounts are appropriated from funds previously appropriated from the Natural Resources Fund created pursuant to P.L.1980, c.70, together with an amount not to exceed \$181,000 subject to the approval of the Director of the Division of Budget and Accounting, for administrative costs related to these bond funds.

## 40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

### 43. SCIENCE AND TECHNICAL PROGRAMS

#### OBJECTIVES

1. To protect the public and the environment against unnecessary radiation exposure from natural and man-made sources.
2. To ensure a high quality of life for the residents of New Jersey by preserving, sustaining, protecting, and enhancing the air environment. Also, to provide program coordination to comply with state and federal mandates to attain air quality standards, conduct air monitoring, planning, analysis, and motor vehicle pollution control projects, and coordinate the development of regulations.
3. To augment the health and welfare of the public by providing a comprehensive program to prevent releases of petroleum products and hazardous substances and by providing information regarding hazardous substances in the community and the workplace.
4. To undertake technical activities, policy development, and applied scientific research, associated with human and ecological exposure to toxic substances, as well as other critical environmental issues identified by DEP. To serve as DEP's primary unit for environmental assessment and risk analysis. These activities are designed to meet the department's information and problem-solving needs, and to identify current scientific needs which warrant the department's attention, as well as to proactively identify scientific issues and environmental problems before they become crisis issues.
5. To map, research, interpret and provide scientific information regarding the State's geology and groundwater resources. This information supports the regulatory and planning functions of DEP and other governmental agencies and provides the business community and the public with the geologic and hydrologic information necessary to address environmental concerns and make economic decisions.
6. To protect the public and the environment of the State from any hazards resulting from the production, use, sale, storage or other activities related to pesticides.
7. To survey hazardous substances inventory data from 33,000 facilities and actual release data of hazardous substances from 700 facilities. The survey data is used internally and by local agencies and citizens in developing community-based chemical emergency response plans.
8. To submit risk management plans detailing how to manage the risks involved with the handling and storage of extraordinarily hazardous substances whose release in the environment could cause death or permanent disability. The Risk Management Plan requires a formal hazard analysis to identify and quantify potential points of releases, followed by dispersion and consequence analysis to determine the effect of the release on the surrounding community and the measures that the facility has taken to prevent the release from occurring.
9. To establish and maintain policies and procedures for the generation, compilation, review and use of data of documented quality, as required by the USEPA.
10. To certify the analytical capabilities of laboratories performing analyses in response to the State's environmental programs.
11. To develop and coordinate implementation of watershed management programs, ground water protection programs, and water supply management, development, conservation and protection plans.



12. To develop and coordinate the implementation of the Coastal Zone Management and the National Estuary programs, including the Delaware, NY/NJ Harbor and Barnegat Bay Estuaries.
13. To develop and coordinate water quality management planning functions, including water quality standards, wastewater management, point and nonpoint source pollution control and the restoration of aquatic habitats.

### PROGRAM CLASSIFICATIONS

01. **Radiation Protection.** Identifies the location and character of natural and man-made radiation sources, determines the exposure pathway and biological impact of those sources (including major nuclear facilities), and provides direction on remediation options. Controls the possession, transportation, use and storage of radioactive materials, and plans for the prevention and remedy of mass exposure, including evacuation, containment and decontamination. This unit also registers and inspects x-ray machines and radioactive material users, licenses x-ray technologists, nuclear medicine technologists, and radon testers and mitigators.
02. **Air Pollution Control.** To ensure a high quality of life for the residents of New Jersey by preserving, sustaining, protecting, and enhancing the air environment. Also, to provide program coordination to comply with state and federal mandates to attain air quality standards, conduct air monitoring, planning, analysis, and motor vehicle pollution control projects, and coordinate the development of regulations. Implements New Jersey's Community Right To Know and SARA Title III programs which gather information on the use, storage and release of toxic chemicals in the State. Implements the "Toxic Catastrophe Prevention Act," to identify companies which handle extraordinary hazardous substances and ensures that procedures are in place to prevent devastating accidental chemical releases. The Discharge Prevention Containment and Countermeasures (Oil Spill Prevention) program reduces the possibility of hazardous spills and, if they occur, mitigates their consequences.
04. **Pesticide Control.** Enforces regulations and investigates citizen complaints concerning the manufacture, distribution, storage, sale, possession and use of pesticides, and registers all pesticide products sold in the State. This unit also certifies and licenses pesticide applicators and dealers, plans prevention and remediation of serious incidents, issues pesticide use permits, investigates complaints or reported incidents, conducts analyses to determine the effects and hazards of pesticides, and conducts routine compliance assistance and pollution prevention inspections. Enforces regulations and policies to assure the quality of laboratory data used by the department, industry, local government, municipal authorities, and private citizens, Certifies environmental laboratories in thirty-six states and oversees the analyses of New Jersey drinking water, waste water, ambient water, soils, solid/hazardous waste, sludge and air for microbiological, inorganic, organic, radiochemical, radon and biological properties.
05. **Water Supply and Watershed Management.** Administers the Division of Science and Research's component of the federal and state safe drinking water programs.
07. **Water Monitoring and Planning.** Conducts ambient statewide water quality monitoring (surface and ground water) and assessments in support of NJPDES permit issuance, water quality inventory reporting, water quality planning, and enforcement actions. Conducts water quality surveys in support of program needs. Operates the State's biological and aquatic toxicological programs. Develops regulations for toxicity testing and certification in the biological program. Manages the lakes restoration and grant assistance programs. Develops, operates and maintains water quality data base systems for both government and public access. Coordinates the development and implementations of biological criteria into state water quality standards. Classifies shellfish growing areas as approved or condemned, and conducts bacteriological and chemical analysis of shellfish for health hazard prevention.
15. **Land Use Regulation.** Protects and manages the State's land and water resources through the administration of riparian, waterfront development, stream encroachment, Coastal Area Facility Review Act (CAFRA), coastal wetlands and freshwater wetlands laws and regulations.
18. **Science and Research.** Provides a fundamental science foundation for a wide range of departmental policies, actions and standard setting activities. Develops scientific information and innovative management strategies through: the performance of environmental assessments and risk analyses; scientific investigations and technical assessments of toxic and carcinogenic contaminants; human health and ecological risk assessment; applied research and technical evaluations; comprehensive review and assessment of the current state of scientific knowledge on specific issues; overarching scientific connections for dealing with cross-media contaminants; innovative economics-based environmental management approaches; innovative technologies for remediation of hazardous waste sites; and effective risk communication techniques. Identifies emerging environmental strategies and issues and develops them for departmental implementation. Develops human health criteria for toxic contaminant standards in potable water, ground water, surface water and soil.
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.
29. **Environmental Remediation and Monitoring.** On November 5, 1996, the voters of New Jersey approved an amendment to the State Constitution which dedicates 4% of the revenue annually derived from the tax imposed pursuant to the "Corporation Business Tax Act" (P.L.1945, c.162), for the following purposes: financing the cost of water quality point and non-point source pollution monitoring, watershed-based water resource planning and management, and non-point source pollution prevention projects; funding, in the form of loans or grants, the upgrade, replacement or closure of underground storage tanks, including the cost of remediation; and financing the costs of the remediation of discharges of hazardous substances.
90. **Management Policy and Planning.** Coordinates the review and 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. Coordinates the activities of the Office of Environmental Planning including the development and adoption of Surface Water Quality Standards and water quality models.

# ENVIRONMENTAL PROTECTION

## EVALUATION DATA

	Actual FY 1995	Actual FY 1996	Revised FY 1997	Budget Estimate FY 1998
<b>PROGRAM DATA</b>				
<b>Radiation Protection</b>				
X-ray machine violations .....	1,700	1,357	1,500	1,300
Emergency event responses .....	31	50	60	32
Power plant inspections reviewed .....	55	55	55	65
Lung Cancers Avoided .....	120	137	100	120
<b>Air Pollution Control</b>				
Toxic Catastrophe Prevention				
Compliance inspections .....	352	110	100	100
Accident investigations .....	4	3	3	3
Right To Know				
Information requests .....	2,952	2,400	2,400	2,400
Audits for facilities .....	1,157	935	1,400	1,400
Notice of violations .....	597	238	600	600
<b>Pesticide Control</b>				
Investigations and inspections .....	1,709	1,445	1,600	1,600
Pesticide products regulated .....	9,948	11,087	11,100	11,000
Pesticide licenses and permits .....	3,502	13,480	15,000	15,000
Environmental labs certified .....	912	934	1,050	1,100
Quality assurance actions .....	539	237	265	560
<b>Water Monitoring and Planning</b>				
Ambient freshwater quality .....	1,869	1,437	1,588	1,688
Ambient Marine Water:				
Water samples analyzed .....	14,000	10,000	15,000	15,000
Harvest shellfish bed acres evaluated .....	700,000	700,000	700,000	700,000
Percent of shellfish bed acres open .....	75	76	77	77
Percent of shellfish bed acres seasonal .....	3	3	3	3
Percent of shellfish bed acres condemned .....	14	14	13	12
Percent of shellfish bed acres specially restricted .....	8	7	7	8
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
Filled Positions by Funding Source				
State Supported .....	286	330	337	350
Federal .....	57	52	39	36
All Other .....	10	7	7	8
Total Positions .....	353	389	383	394
Filled Positions by Program				
Land Use Regulation .....	—	8	9	8
Management Policy and Planning .....	4	21	35	43
Science and Research .....	28	35	22	23
Air Pollution Monitoring .....	66	67	59	65
Radiation Protection .....	77	81	75	79
Air Pollution Control .....	67	59	70	59
Pesticide Control .....	53	59	55	55
Water Monitoring .....	44	42	42	44
Water Quality Management .....	14	17	16	18
Total Positions .....	353	389	383	394

Notes: Actual fiscal years 1995 and 1996 and Revised fiscal year 1997 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1998 reflects the number of positions funded.

# ENVIRONMENTAL PROTECTION

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1996					Year Ending June 30, 1998				
Orig. & (S)Supple- mental	Reapp. & (R)Recepts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1997 Adjusted Approp.	Requested	Recom- mended	
<b>Distribution by Program</b>									
5,490	205	-42	5,653	5,345	01	5,014	3,994	3,994	
7,463	236	-561	7,138	6,954	02	6,906	7,204	7,204	
3,020	116	-41	3,095	2,959	04	2,775	2,826	2,826	
479	107	—	586	550	05	479	479	479	
841	1	239	1,081	1,072	07	1,197	1,197	1,197	
2,300	80	-154	2,226	2,172	18	2,099	2,554	2,554	
—	—	250	250	250	22	369	369	369	
—	—	—	—	—	29	4,900	5,000	5,000	
185	—	595	780	780	90	1,387	1,306	1,306	
<b>19,778</b>	<b>745</b>	<b>286</b>	<b>20,809</b>	<b>20,082</b>		<b>25,126<sup>(a)</sup></b>	<b>24,929</b>	<b>24,929</b>	
<b>Distribution by Object</b>									
Personal Services:									
8,000	2	462	8,464	8,441		7,701	7,939	7,939	
8,000	2	462	8,464	8,441		7,701	7,939	7,939	
661	—	-253	408	367		468	522	522	
2,273	19	43	2,335	2,296		1,710	1,578	1,578	
479	—	-90	389	361		456	374	374	
Special Purpose:									
1,658	—	—	—	—		1,658	—	—	
600 <sup>S</sup>	201	—	2,459	2,219	01	1,018 <sup>S</sup>	1,658	1,658	
—	—	—	—	—	02	—	200	200	
743	—	78	821	817	02	809	809	809	
915	109 <sup>R</sup>	—	1,024	1,022	02	911	911	911	
2,178	125 <sup>R</sup>	—	2,303	2,303	02	2,174	2,174	2,174	
—	—	—	—	—	04	375	375	375	
896	—	—	896	896	04	871	873	873	
479	107 <sup>R</sup>	—	586	550	05	479	479	479	
—	—	—	—	—	07	150 <sup>S</sup>	150	150	
—	—	—	—	—	18	700	700	700	
—	—	—	—	—	18	—	200	200	
—	—	—	—	—	18	—	255	255	
500	51	—	551	516	18	500	500	500	
—	—	—	—	—	29	4,900 <sup>S</sup>	5,000	5,000	
7,969	593	78	8,640	8,323		14,545	14,284	14,284	
396	131	46	573	294		246	232	232	

### OTHER RELATED APPROPRIATIONS

—	420	—	420	420	<i>Total State Aid</i>	80	—	—	
19,778	1,165	286	21,229	20,502	<i>Total General Fund</i>	25,206	24,929	24,929	
<b>Federal Funds</b>									
1,400	121	—	1,521	318	01	855	667	667	
2,435	-4	—	2,431	1,395	02	2,435	2,268	2,268	
553	180	—	733	428	04	553	553	553	
4,200	633	-75	4,758	2,521	07	4,200	4,200	4,200	
—	—	1,211	1,211	709	15	1,211	1,260	1,260	

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 1996					Year Ending June 30, 1998				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1997 Adjusted Approp.	Requested	Recommended	
4,746	-83	75	4,738	33	Science and Research	18	2,950	1,690	1,690
350	204	—	554	220	Water Quality Management	22	350	350	350
<u>222<sup>S</sup></u>	<u>73</u>	<u>2,780</u>	<u>3,075</u>	<u>2,209</u>	Management Policy and Planning	90	<u>4,775</u>	<u>5,680</u>	<u>5,680</u>
<b>13,906</b>	<b>1,124</b>	<b>3,991</b>	<b>19,021</b>	<b>7,833</b>	<b>Total Federal Funds</b>		<b>17,329</b>	<b>16,668</b>	<b>16,668</b>
<b>All Other Funds</b>									
—	10,834	—	11,091	7,819	Radiation Protection	01	525	1,590	1,590
—	257 <sup>R</sup>	—	43	5	Water Monitoring and Planning	07	25	2	2
—	21 <sup>R</sup>	—	543	75	Science and Research	18	441	131	131
—	543	—	543	75	Water Quality Management	22	—	—	—
—	<u>1,655</u>	—	<u>1,655</u>	—	<b>Total All Other Funds</b>		<u>991</u>	<u>1,723</u>	<u>1,723</u>
<u>—</u>	<u>13,332</u>	<u>—</u>	<u>13,332</u>	<u>7,899</u>	<b>GRAND TOTAL</b>		<b>43,526</b>	<b>43,320</b>	<b>43,320</b>
<b>33,684</b>	<b>15,621</b>	<b>4,277</b>	<b>53,582</b>	<b>36,234</b>					

- Notes: (a) The fiscal 1997 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Employee Benefits and Salary Increases and Other Benefits accounts.  
 (b) Supplemental appropriations in fiscal years 1996 and 1997 correspond to language appropriations in each year.

## LANGUAGE RECOMMENDATIONS

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

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

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

The amount hereinabove for the Nuclear Emergency Response account is payable from receipts received pursuant to the assessments of electrical utility companies under P.L.1981, c.302 (C.26:2D-37 et seq.), and the unexpended balances as of June 30, 1997 in the Nuclear Emergency Response account, together with receipts in excess of the amount anticipated, not to exceed \$1,098,000, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of the "Worker and Community Right to Know Act," P.L.1983, c.315 (C.34:5A-1 et seq.), the amount hereinabove for the Worker and Community Right to Know Act account is payable out of the Worker and Community Right to Know Trust Fund, and that receipts in excess of the amount anticipated, not to exceed \$267,000, are appropriated. If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.

The amount hereinabove for the Oil Spill Prevention program is payable out of Spill Compensation Fund, and the receipts in excess of those anticipated, not to exceed \$1,193,000, from the New Jersey Spill Compensation Fund for the Oil Spill Prevention program are appropriated, in accordance with the provisions of P.L.1990, c.76 (C.58:10-23.11f2 et seq.), P.L.1990, c.78 (C.58:10-23.11d1 et seq.), and P.L.1990, c.80 (C.58:10-23.11f1), subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Environmental Remediation and Monitoring program classification shall be provided from revenue received from the Corporate Business Tax, pursuant to the "Corporate Business Tax Act," P.L.1945, c.162 (C.54:10A-1 et seq.), as dedicated by Article VIII, Section II, paragraph 6 of the State Constitution.

## 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, supported by the Spill Compensation Fund, and to administer the Sanitary Landfill Contingency Fund claims program.

#### PROGRAM CLASSIFICATIONS

19. **Publicly-Funded Site Remediation.** Conducts a statewide program for the cleanup of sites contaminated by hazardous substances by planning, managing and overseeing site remediations where a responsible party cannot be identified or is either unable or unwilling to voluntarily participate. Its powers have been expanded

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

27. **Responsible Party Site Remediation.** Conducts a statewide program for the cleanup of sites contaminated by hazardous substances through oversight of remediations conducted by private parties. Works with parties willing to remediate a site under the state's voluntary cleanup program or the state's risk based cleanup program. Provides oversight to assure that appropriate standards and technical requirements are met. The division handles cleanups from low to high complexity under the authority of the State Spill Compensation and Control Act, ISRA, Underground Storage of Hazardous Substances Act and the Water Pollution Control Act. The program also provides management assistance and coordination of remedial activities at National Priority List/Hazardous Site-Cleanups where the project lead is assumed by the federal Environmental Protection Agency, Department of Defense or Department of Energy.

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

#### EVALUATION DATA

	Actual FY 1995	Actual FY 1996	Revised FY 1997	Budget Estimate FY 1998
<b>PROGRAM DATA</b>				
<b>Responsible Party Site Remediation</b>				
ISRA:				
Negative declarations .....	131	427	633	633
Remedial action workplan approvals .....	29	66	45	45
Remediations monitored .....	934	1,289	1,241	1,241
Remediations completed .....	131	287	446	446
Discharge Response Element:				
Emergency responses .....	1,271	1,520	1,400	1,425
Remediations monitored .....	2,225	1,811	2,585	2,700
Remediations completed .....	2,162	1,150	1,738	1,890
Responsible Party Cleanup Element:				
Remedial action workplan approvals .....	134	117	120	125
Remediations monitored .....	504	699	652	652
Remediations completed .....	25	146	80	90

# ENVIRONMENTAL PROTECTION

	Actual FY 1995	Actual FY 1996	Revised FY 1997	Budget Estimate FY 1998
Underground Storage Tanks:				
Closure Approvals .....	1,568	1,007	1,000	1,100
Remediations monitored .....	3,056	3,599	3,407	3,465
Remediations completed .....	600	1,209	1,041	1,127

## PERSONNEL DATA

### Position Data

#### Filled Positions by Funding Source

State Supported .....	572	541	502	512
Federal .....	26	28	25	24
Total Positions .....	598	569	527	536

#### Filled Positions by Program

Publicly-Funded Site Remediation .....	211	198	173	176
Hazardous Waste Management .....	6	5	5	4
Responsible Party Site Remediation .....	381	366	349	356
Total Positions .....	598	569	527	536

Notes: Actual fiscal years 1995 and 1996 and Revised fiscal year 1997 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1998 reflects the number of positions funded.

## APPROPRIATIONS DATA

(thousands of dollars)

Year Ending June 30, 1996					Year Ending June 30, 1998			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1997 Adjusted Approp.	Requested	Recom- mended
					<b>Distribution by Program</b>			
13,027	401	2,034	15,462	14,811				
					19	11,652	11,491	11,491
21,337	4,868	-259	25,946	25,861				
					27	19,553	19,714	19,714
—	—	—	—	—				
					29	2,700	4,700	4,700
<b>34,364</b>	<b>5,269</b>	<b>1,775</b>	<b>41,408</b>	<b>40,672</b>		<b>33,905<sup>(a)</sup></b>	<b>35,905</b>	<b>35,905</b>
					<b>Distribution by Object</b>			
					Personal Services:			
8,020	803 <sup>R</sup>	-1,666	7,157	6,965		5,069	4,910	4,910
—	—	—	—	1,313		—	—	—
8,020	803	-1,666	7,157	8,278		5,069	4,910	4,910
315	—	—	315	81		325	379	379
2,445	—	663	3,108	2,299		2,426	2,609	2,609
491	—	744	1,235	811		722	624	624
					Special Purpose:			
5,377	3 <sup>R</sup>	34	5,414	5,414				
					19	5,377	5,377	5,377
1,511	396 <sup>R</sup>	2,000	3,907	3,905				
					19	1,441	1,280	1,280
30	—	—	30	30				
					19	—	—	—
14,428	6 3,948 <sup>R</sup>	—	18,382	18,375				
					27	14,428	14,428	14,428
524	—	—	524	510				
					27	399	399	399

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 1996					Year Ending June 30, 1998				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1997 Adjusted Approp.	Requested	Recom- mended	
923	—	—	923	917		27	698	698	
—	—	—	—	—	29	2,700 <sup>S</sup>	4,700	4,700	
22,793	4,353	2,034	29,180	29,151		25,043	26,882	26,882	
300	113	—	413	52		320	501	501	
<b>OTHER RELATED APPROPRIATIONS</b>									
—	2,848	—	2,848	197	<i>Total Capital Construction</i>	22,000	42,200	42,200	
34,364	8,117	1,775	44,256	40,869	<i>Total General Fund</i>	55,905	78,105	78,105	
<b>Federal Funds</b>									
100,000	8,766	-75	108,691	8,778	Publicly-Funded Site Remediation	19	100,000	100,000	
360	73	—	433	307	Hazardous Waste Management	23	360	360	
7,300	4,287	—	11,587	4,430	Responsible Party Site Remediation	27	7,850	8,300	
107,660	13,126	-75	120,711	13,515	<i>Total Federal Funds</i>	108,210	108,660	108,660	
<b>All Other Funds</b>									
—	84	-34	50	—	Publicly-Funded Site Remediation	19	—	—	
—	84	-34	50	—	<i>Total All Other Funds</i>	—	—	—	
142,024	21,327	1,666	165,017	54,384	<b>GRAND TOTAL</b>	164,115	186,765	186,765	

Notes: (a) The fiscal 1997 appropriation has been adjusted to reflect a proposed supplemental appropriation.

### LANGUAGE RECOMMENDATIONS

In addition to site specific charges, the amount hereinabove for the Publicly-Funded Site Remediation and the Responsible Party Site Remediation program classifications, excluding the Hazardous Waste Bond Administrative Costs, the Hazardous Discharge Site Cleanup Fund-Responsible Party, the Industrial Site Recovery Act, and the Underground Storage Tanks accounts, is appropriated from the New Jersey Spill Compensation Fund, in accordance with the provisions of P.L.1976, c.141 (C.58:10-23.11 et seq.), together with an amount not to exceed \$5,030,000, for administrative costs associated with the cleanup of hazardous waste sites, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Hazardous Waste Bond Administrative Costs account is appropriated from the Hazardous Discharge Fund of 1986, created pursuant to section 14 of the "Hazardous Discharge Fund Bond Act of 1986," P.L.1986, c.113, together with an amount not to exceed \$4,388,000 for administrative costs associated with the cleanup of hazardous waste sites, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Spill Prevention, Response and Site Cleanup, Non-Site Specific Costs account is appropriated from the New Jersey Spill Compensation Fund, together with receipts in excess of those anticipated, not to exceed \$844,000, subject to the approval of the Director of the Division of Budget and Accounting.

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

The amount hereinabove for the Hazardous Discharge Site Cleanup Fund-Responsible Party account is appropriated from responsible party cost recoveries deposited in the Hazardous Discharge Site Cleanup Fund, together with an amount not to exceed \$8,659,000, for administrative costs associated with the cleanup of hazardous waste sites, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Environmental Remediation and Monitoring program classification shall be provided from revenue received from the Corporate Business Tax, pursuant to the "Corporate Business Tax Act," P.L.1945, c.162 (C.54:10A-1 et seq.), as dedicated by Article VIII, Section II, paragraph 6 of the State Constitution.

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

# ENVIRONMENTAL PROTECTION

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## 40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

### 45. ENVIRONMENTAL REGULATION

#### OBJECTIVES

1. To assure a safe and dependable supply of water.
2. To monitor and report on the biological, chemical and physical quality of surface waters, ground waters and sediments in the State and to monitor NJPDES permit compliance in order to develop water quality standards and programs and to evaluate the effectiveness of existing regulatory programs for the protection and improvement of New Jersey's water quality.
3. To make decisions that carry out the purposes and requirements of the enabling legislation and regulations.
4. To conduct reviews of permit applications in a manner that promotes meaningful public input.
5. To develop procedural and regulatory changes as well as non-regulatory studies and outreach efforts to expand the consideration of pollution prevention, the protection of critical watersheds from cumulative negative impacts, and the consideration of the State Development and Redevelopment Plan in the Department's decision-making.
6. To help permit applicants to comply with applicable requirements and promptly inform them when such compliance does not seem possible.
7. To find opportunities to make permit reviews efficient while maintaining or improving protection of the environment and to eliminate procedures and requirements that do not lead to greater environmental protection, and to consolidate the reviews of multiple permit for individual facilities or projects.
8. To use available wastewater funds to improve and protect water quality.
9. To implement a statewide solid waste planning process with emphasis on source reduction, recycling and market development activities; to conduct comprehensive reviews of permit applications for solid waste, hazardous waste, recycling and composting facilities; and to ensure that reasonable rates are charged in New Jersey for solid waste collection and disposal operations.

#### PROGRAM CLASSIFICATIONS

02. **Air Pollution Control.** Reviews construction plans for new and modified stationary sources of potential air pollution and issues permits for construction and certificates to operate; validates tax exemption claims for air pollution control equipment; conducts stack tests to determine air contaminant emissions; reviews continuous emission monitoring instrumentation; reviews and conducts air quality modeling studies of major new sources of air contamination; reviews and issues facility-wide operating permits for major existing sources of air pollution.
05. **Water Supply and Watershed Management.** Administers the federal and State safe drinking water programs, the well drilling permit program and the water allocation program to ensure a safe and reliable water supply.
08. **Water Pollution Control.** Administers the New Jersey Pollutant Discharge Eliminations System (NJPDES) program, which protects New Jersey's ground and surface water quality by assuring the proper treatment and discharge of stormwater and wastewater from various types of facilities and activities. To accomplish this, permits are issued limiting the mass and concentration of pollutants which may be discharged into ground water, streams, rivers and the ocean. Management of residuals and the oversight of local pretreatment programs are also administered through the NJPDES program. This program also regulates the construction of wastewater treatment facilities and sewer lines.
09. **Public Wastewater Facilities.** Administers the New Jersey Wastewater Treatment Financing program along with the New Jersey Wastewater Treatment Trust, an independent State financing authority. The program provides loans to local government units for the construction of wastewater treatment facilities through funds available under the federal Clean Water Act and various State bond acts. Projects eligible for financial assistance include water and wastewater treatment plant upgrades or improvements, facilities for the beneficial reuse and treatment of sewage sludge, collection and conveyance facilities, on-site system rehabilitation, infiltration/inflow correction, combined sewer overflow and interconnection/cross-connection abatement projects.
15. **Land Use Regulation.** Protects and manages the State's land and water resources through the administration of riparian, waterfront development, stream encroachment, Coastal Area Facility Review Act (CAFRA), coastal wetlands and freshwater wetlands laws and regulations.
17. **Solid Waste Resource Management.** Supervises the collection, transportation, processing, reduction and disposal of solid waste. Supervises the solid waste collection industry to promote effective competition and to prohibit anti-competitive practices. Regulates and oversees mergers, acquisitions and long term financing arrangements of the solid waste utility industry. Regulations and standards for solid waste industries are implemented through on-site construction inspections, design reviews, monitoring and the permitting of collection, processing and disposal operations. Develops and implements comprehensive statewide management plans and reviews and monitors district solid waste management plans. Develops and implements a recycling program, and provides grants and loans pursuant to the Solid Waste Services Tax program and the Resource Recovery and Solid Waste Disposal Facility Bond Act.
23. **Hazardous Waste Management.** Regulates the generation, storage, collection, treatment and disposal of hazardous waste. Regulations and standards for hazardous waste industries are implemented through on-site construction inspections, design reviews, monitoring and the permitting of collection, processing and disposal operations. Administers parts of the federal Resource Conservation and Recovery Act of 1976 (RCRA). Pollution Prevention is responsible for promoting multi-media awareness and the incorporation of pollution prevention concepts into all Environmental Regulation permitting programs.



# ENVIRONMENTAL PROTECTION

## EVALUATION DATA

	Actual FY 1995	Actual FY 1996	Revised FY 1997	Budget Estimate FY 1998
<b>PROGRAM DATA</b>				
<b>Land Use Regulation</b>				
Waterfront Development:				
Tidelands appraisals .....	600	400	400	400
Tidelands inspections (inquiries-search) .....	400	300	300	350
<b>Solid Waste Resource Management</b>				
Recycling tonnage grants .....	510	540	540	540
Annual Tonnage:				
Generated Statewide .....	15,400,000	15,900,000	15,900,000	15,900,000
Generated per capita (Lbs./Person/Day) .....	10	10	10	10
Recycled Statewide .....	9,900,000	9,540,000	9,540,000	9,540,000
Recycled per capita (Lbs./Person/Day) .....	7	6	6	6
% reduction in Solid Waste stream due to recycling .....	64	60	60	60
<b>Hazardous Waste Management</b>				
Annual tonnage of hazardous waste generated statewide (RCRA) .....	380,191	352,717	280,050	280,050
Total tonnage hazardous waste:				
Disposed .....	24,006	31,039	21,164	21,164
Stored .....	86,445	81,830	64,324	64,324
Recycled .....	126,257	121,335	94,669	94,669
Incinerated .....	51,020	40,562	34,894	34,894
Other .....	92,462	77,950	64,999	64,999

## PERSONNEL DATA

### Position Data

#### Filled Positions by Funding Source

State Supported .....	635	684	584	597
Federal .....	110	58	55	52
All Other .....	148	51	50	51
Total Positions .....	893	793	689	700

#### Filled Positions by Program

Water Supply and Watershed Management .....	136	121	105	109
Air Pollution Control .....	82	83	79	82
Water Pollution Control .....	204	163	135	137
Public Waste Water Facilities .....	33	29	54	55
Land Use Regulation .....	142	127	122	127
Water Monitoring .....	6	6	6	5
Solid Waste Resource Management .....	152	128	98	94
Hazardous Waste Management .....	89	85	65	66
Clean Waters .....	49	51	25	25
Total Positions .....	893	793	689	700

Notes: Actual fiscal years 1995 and 1996 and Revised fiscal year 1997 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1998 reflects the number of positions funded.

## APPROPRIATIONS DATA

(thousands of dollars)

Year Ending June 30, 1996					Year Ending June 30, 1998				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1997 Adjusted Approp.	Requested	Recom- mended	
					<b>Distribution by Program</b>				
5,753	19	-668	5,104	4,924	02	5,095	5,498	5,498	
7,766	361	1	8,128	7,031	05	7,137	7,135	7,135	
9,092	—	260	9,352	8,880	08	7,456	7,409	7,409	
628	48	—	676	677	09	628	628	628	
6,181	902	—	7,083	6,940	15	6,060	6,001	6,001	

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 1996					Year Ending June 30, 1998				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1997 Adjusted Approp.	Requested	Recommended	
9,599	776	-754	9,621	8,620					
<u>4,297</u>	<u>203</u>	<u>-75</u>	<u>4,425</u>	<u>4,104</u>	Solid Waste Resource Management	17	6,339	6,324	6,324
<b>43,316</b>	<b>2,309</b>	<b>-1,236</b>	<b>44,389</b>	<b>41,176</b>	Hazardous Waste Management	23	<u>3,449</u>	<u>3,402</u>	<u>3,402</u>
					<b>Total Appropriation</b>		<b>36,164<sup>(a)</sup></b>	<b>36,397</b>	<b>36,397</b>
<b>Distribution by Object</b>									
Personal Services:									
<u>23,669</u>	<u>---</u>	<u>-784</u>	<u>22,885</u>	<u>21,724</u>	Salaries and Wages		<u>19,595</u>	<u>19,630</u>	<u>19,630</u>
23,669	---	-784	22,885	21,724	<i>Total Personal Services</i>		19,595	19,630	19,630
556	1	-54	503	355	Materials and Supplies		504	561	561
6,941	3	-391	6,553	5,980	Services Other Than Personal		4,584	4,966	4,966
346	---	-29	317	266	Maintenance and Fixed Charges		335	325	325
Special Purpose:									
954	---	---	954	459	Administrative Costs Water Supply Bond Act of 1981 - Management	05	954	954	954
1,213	---	---	1,213	1,158	Administrative Costs Water Supply Bond Act of 1981 - Watershed and Aquifer	05	1,213	1,213	1,213
800	---	---	800	596	Administrative Costs Water Supply Bond Act of 1981 - Planning and Standards	05	800	800	800
43	24	---	67	66	Water/Wastewater Operators Licenses	05	43	43	43
58	---	---	58	58	Office of the Rivermaster	05	58	58	58
1,457	337 <sup>R</sup>	---	1,794	1,793	Safe Drinking Water Fund	05	1,457	1,457	1,457
628	48 <sup>R</sup>	---	676	677	Public Waste Water Facilities Bond	09	628	628	628
25	---	---	25	8	Tidelands Resource Council	15	25	25	25
1,808	889 <sup>R</sup>	---	2,697	2,697	Tidelands Peak Demands	15	1,799	1,799	1,799
435	---	---	435	435	Office of Permit Information and Assistance	15	480	502	502
418	---	---	418	338	Sanitary Landfill Facility Contingency Fund-Administration	17	399	399	399
224	---	---	224	130	Administration of Resource Recovery and Solid Waste Disposal Facility Fund	17	224	224	224
919	677 <sup>R</sup>	---	1,596	1,596	Recycling of Solid Waste	17	919	919	919
291	74 <sup>R</sup>	---	365	365	Clean Communities-Administration	17	---	---	---
	2	---							
1,567	58 <sup>R</sup>	---	1,627	1,624	Pollution Prevention	23	1,565	1,565	1,565
<u>225</u>	<u>74</u>	<u>---</u>	<u>299</u>	<u>268</u>	Major Hazardous Waste Facilities Siting Act-Siting Commission	23	<u>60</u>	<u>60</u>	<u>60</u>
11,065	2,183	---	13,248	12,268	<i>Total Special Purpose</i>		10,624	10,646	10,646
739	122	22	883	583	Additions, Improvements and Equipment		522	269	269

## OTHER RELATED APPROPRIATIONS

---	---	268	268	---	<i>Total State Aid</i>	75	---	---	
---	<u>15,068</u>	---	<u>15,068</u>	<u>3,610</u>	<i>Total Capital Construction</i>	---	<u>20,590</u>	<u>2,590</u>	
<b>43,316</b>	<b>17,377</b>	<b>-968</b>	<b>59,725</b>	<b>44,786</b>	<i>Total General Fund</i>	<b>36,239</b>	<b>56,987</b>	<b>38,987</b>	
<b>Federal Funds</b>									
1,285	---	---	1,285	1,150	Air Pollution Control	02	1,285	1,123	1,123
13,760	266	---	14,026	1,244	Water Supply and Watershed Management	05	13,800	25,200	25,200
86,200	668	---	86,868	667	Public Wastewater Facilities	09	95,000	70,000	70,000
2,941	497	-1,211	2,227	1,181	Land Use Regulation	15	1,730	1,634	1,634
6,175	832	-2,705	4,302	833	Water Monitoring and Planning	16	1,775	1,775	1,775

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 1996					Year Ending June 30, 1998				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		Prog. Class.	1997 Adjusted Approp.	Requested	Recom- mended
1,575	346	—	1,921	346	Solid Waste Resource Management	17	—	—	—
<u>2,468</u>	<u>189</u>	<u>—</u>	<u>2,657</u>	<u>1,600</u>	Hazardous Waste Management	23	<u>2,635</u>	<u>2,035</u>	<u>2,035</u>
<b>114,404</b>	<b>2,798</b>	<b>-3,916</b>	<b>113,286</b>	<b>7,021</b>	<b>Total Federal Funds</b>		<b>116,225</b>	<b>101,767</b>	<b>101,767</b>
<b>All Other Funds</b>									
—	2,919 <sup>R</sup>	—	2,919	279	Air Pollution Control	02	—	—	—
	42								
—	101 <sup>R</sup>	—	143	7	Water Supply and Watershed Management	05	125	70	70
—	52	—	52	—	Public Wastewater Facilities	09	2,282	2,266	2,266
	188								
—	50 <sup>R</sup>	—	238	216	Land Use Regulation	15	—	214	214
—	35	—	35	—	Water Monitoring and Planning	16	—	—	—
	15								
—	250 <sup>R</sup>	—	265	—	Solid Waste Resource Management	17	—	—	—
—	47	—	47	5	Hazardous Waste Management	23	—	—	—
	4								
<u>—</u>	<u>3,071<sup>R</sup></u>	<u>—</u>	<u>3,075</u>	<u>3,074</u>	Clean Waters	70	<u>2,014</u>	<u>2,400</u>	<u>2,400</u>
<u>—</u>	<u>6,774</u>	<u>—</u>	<u>6,774</u>	<u>3,581</u>	<b>Total All Other Funds</b>		<u>4,421</u>	<u>4,950</u>	<u>4,950</u>
<b>157,720</b>	<b>26,949</b>	<b>-4,884</b>	<b>179,785</b>	<b>55,388</b>	<b>GRAND TOTAL</b>		<b>156,885</b>	<b>163,704</b>	<b>145,704</b>

Notes: (a) The fiscal year 1997 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Employee Benefits and Salary Increases and Other Benefits accounts.

## LANGUAGE RECOMMENDATIONS

The amounts hereinabove for the Administrative Costs Water Supply Bond Act of 1981 – Water Supply Management; Watershed and Aquifer; and Planning and Standards accounts are appropriated from the “Water Supply Bond Act of 1981,” P.L. 1981, c.261, together with an amount, not to exceed \$1,347,000, for costs attributable to administration of water supply programs, subject to the approval of the Director of the Division of Budget and Accounting.

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

The amount hereinabove for the Public Waste Water Facilities Bond account is appropriated from funds previously appropriated from the Water Conservation Fund, together with an amount not to exceed \$347,000 subject to the approval of the Director of the Division of Budget and Accounting, for costs attributable to planning, engineering, developing and constructing regional wastewater treatment facilities.

There is appropriated from the 1992 Wastewater Treatment Fund, created pursuant to the “Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992,” P.L. 1992, c.88, such sums as may be necessary for costs attributable to the administration of wastewater treatment system projects, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Sanitary Landfill Facility Contingency Fund – Administration account, is appropriated from the Sanitary Landfill Facility Contingency Fund, together with an amount not to exceed \$182,000, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Administration of Resource Recovery and Solid Waste Disposal Facility Fund account is appropriated from the Resource Recovery and Solid Waste Disposal Facility Fund, together with an amount not to exceed \$92,000, for administrative costs related to the Resource Recovery and Solid Waste Disposal Facility program, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of P.L.1981, c.278 (C.13:1E-92 et seq.), as amended by P.L.1985, c.533, the amount hereinabove for the Recycling of Solid Waste account is appropriated from the State Recycling Fund, together with an amount not to exceed \$503,000, for the administration of the Recycling of Solid Waste program, subject to the approval of the Director of the Division of Budget and Accounting. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

# ENVIRONMENTAL PROTECTION

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

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

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

Receipts deposited to the Resource Recovery Investment Tax Fund and the Solid Waste Services Tax Fund are appropriated. The unexpended balance as of June 30, 1997 in the Major Hazardous Waste Facilities Siting Act-Siting Commission account is appropriated.

The amount hereinabove for the Pollution Prevention account is appropriated from receipts received pursuant to the "Pollution Prevention Act," P.L.1991, c.235 (C.13:1D-35 et seq.), together with an amount not to exceed \$584,000, subject to the approval of the Director of the Division of Budget and Accounting, for administration of the Pollution Prevention program. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

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

### OBJECTIVES

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

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

99. **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, as well as responsibility for the fiscal control and financial monitoring of all general State monies, federal funds, bond funds and tax accounts.

### PROGRAM CLASSIFICATIONS

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

### EVALUATION DATA

	Actual FY 1995	Actual FY 1996	Revised FY 1997	Budget Estimate FY 1998
<b>PROGRAM DATA</b>				
<b>Management and Administrative Services</b>				
Male Minority .....	208	183	193	200
Male Minority % .....	5	5	5	5
Female Minority .....	326	238	250	261
Female Minority % .....	9	7	7	7
Total Minority .....	542	421	443	461
Total Minority % .....	15	13	13	13
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
Filled Positions by Funding Source				
State Supported .....	435	354	310	317
Total Positions .....	435	354	310	317
Filled Positions by Program				
Management and Administrative Services .....	382	308	264	276
Regulatory and Governmental Affairs .....	53	46	46	41
Total Positions .....	435	354	310	317

Notes: Actual fiscal years 1995 and 1996 and Revised fiscal year 1997 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1998 reflects the number of positions funded.

# ENVIRONMENTAL PROTECTION

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1996					Year Ending June 30, 1998				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1997 Adjusted Approp.	Requested	Recommended	
2,565	61	-234	2,392	2,375	<b>Distribution by Program</b>				
15,639	431	1,475	17,545	16,789	26	2,152	1,755	1,755	
18,204	492	1,241	19,937	19,164	99	18,533	16,443	16,443	
						20,685 <sup>(a)</sup>	18,198	18,198	
					<b>Distribution by Object</b>				
					Personal Services:				
14,658	—	1,494	16,152	16,062		12,453	12,541	12,541	
14,658	—	1,494	16,152	16,062		12,453	12,541	12,541	
483	—	-277	206	170		454	525	525	
1,949	—	76	2,025	1,869		1,746	1,735	1,735	
596	—	53	649	610		596	579	579	
					Special Purpose:				
					99	5,000	—	—	
98	—	-88	10	—	99	98	98	98	
98	—	-88	10	—		5,098	98	98	
420	492	-17	895	453		338	2,720	2,720	
<b>OTHER RELATED APPROPRIATIONS</b>									
50	—	—	50	50		264	350	350	
4,462	217	47	4,726	4,602		4,862	5,387	5,387	
950	202	—	1,152	736		—	872	—	
112,444	—	—	112,444	112,428		100,487	82,703	82,703	
136,110	911	1,288	138,309	136,980		126,298	107,510	106,638	
					<b>Federal Funds</b>				
11									
45 <sup>S</sup>	—	—	56	—	26	—	—	—	
975	—	—	975	—	99	1,275	1,050	1,050	
1,031	—	—	1,031	—		1,275	1,050	1,050	
					<b>All Other Funds</b>				
	1,265								
	160 <sup>R</sup>	1,770	3,195	2,585	99	190	210	210	
	1,425	1,770	3,195	2,585		190	210	210	
137,141	2,336	3,058	142,535	139,565		127,763	108,770	107,898	

Notes: (a) The fiscal 1997 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Employee Benefits and Salary Increases and Other Benefits accounts.

## LANGUAGE RECOMMENDATIONS

The unexpended balance as of June 30, 1997 in the Environmental Enhancements and Ecosystem Improvement account is appropriated.

# ENVIRONMENTAL PROTECTION

## 40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

### 47. ENFORCEMENT POLICY

#### OBJECTIVES

1. To protect public health and improve the environment by ensuring compliance with the State's rules and regulations concerning coastal and land use, air pollution, water pollution, solid waste, and hazardous waste.
2. To assure consistency in enforcement policies, protocols and actions taken by the Department.
3. To provide compliance assistance to all businesses, with a special emphasis on small businesses and local governments.
4. To augment the Department's enforcement, inspection and monitoring activities under the County Environmental Health Act by strengthening agreements with local health agencies to enforce environmental regulations.
5. To improve the quality of the State's beaches through cooperation with the Departments of Correction and Health and the Army Corps of Engineers in programs which reduce floatable debris and monitor ocean water quality.
6. To monitor and report on the quality of surface and ground water in the state in order to develop plans, implementation programs and standards and evaluate programs for the protection and improvement of water quality.

#### PROGRAM CLASSIFICATIONS

02. **Air Pollution Control.** Conducts investigations to determine compliance with the Air Pollution Control Act at regulated facilities. Issues enforcement documents and tracks, records and reports on associated administrative activities to ensure compliance. Also issues enforcement documents for Noise, Toxic Catastrophe Prevention Act, Right to Know, Radiation Protection, Laboratory Quality Assurance, Pesticide Control and Discharge Prevention Containment and Countermeasures. Develops enforcement cases, processes violations, assesses penalties and negotiates compliance schedules for these programs.
08. **Water Pollution Control.** Responsible for providing compliance assistance, conducting monitoring and investigations and issuance of enforcement actions in support of the water programs. The focus is particularly on inspections of wastewater dischargers and community water supply facilities; prevention and correction of situations of non-compliance through a multi-faceted compliance assistance program including outreach, education, and a Discharge Monitoring Report guidance manual; issuance of administrative and judicial enforcement actions for chronic or significant violations; and investigation of complaints relating to water resources. Monitors compliance with all permits issued under the New Jersey Pollutant Discharge Elimination System (NJPDES) for surface water, ground water and indirect discharges to Publicly-Owned Treatment Works (POTWs). Formal enforcement actions are also issued against State certified laboratories which fail to comply with the laboratory certification program requirements.
15. **Land Use Regulation.** Conducts investigations and site inspections required to ensure compliance with State regulations and permits issued pursuant to the Freshwater Wetlands Protection Act, the Flood Hazard Area Control Act, the Coastal Area 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 advises individuals how to achieve and/or maintain compliance. In cases of significant or potentially significant environmental damage and in cases of recalcitrant violations the bureau develops land use enforcement cases, issues Notices of Violations and Administrative Orders, assesses penalties, and resolves cases through negotiation or through legal action in the Office of Administrative Law and Superior Court.
17. **Solid Waste Resource Management.** Manages compliance and enforcement activities directed at ensuring that solid waste is collected, transported and disposed of in an environmentally acceptable manner and in a competitive marketplace. Activities include such compliance assistance functions as environmental audits and grace periods as well as conventional inspections and investigations, and when necessary, formal enforcement actions.
23. **Hazardous Waste Management.** Manages and conducts compliance and enforcement activities directed at ensuring that hazardous waste is collected, stored, transported and disposed of in an environmentally acceptable manner. Activities include such compliance assistance functions as environmental audits, grace periods and supplemental environmental projects as well as conventional inspections and investigations, and when necessary, formal enforcement actions.

#### EVALUATION DATA

	Actual FY 1995	Actual FY 1996	Revised FY 1997	Budget Estimate FY 1998
<b>PROGRAM DATA</b>				
<b>Air Pollution Control</b>				
Investigations and inspections .....	9,630	6,900	7,000	7,000
<b>Water Pollution Control</b>				
Coastal monitoring stations evaluated .....	5,400	5,400	5,400	5,400
Surface Water Discharge Permits:				
Compliance inspections .....	2,715	3,817	3,700	3,700
Operation Clean Shore:				
Miles of beaches cleaned .....	75	92	75	75
Tons of debris removed .....	3,700	2,605	2,500	2,500
<b>Land Use Regulation</b>				
Investigations and inspections .....	2,830	2,733	2,500	2,800

# ENVIRONMENTAL PROTECTION

	Actual FY 1995	Actual FY 1996	Revised FY 1997	Budget Estimate FY 1998
<b>Hazardous Waste Management</b>				
Annual inspections .....	2,750	2,777	2,500	2,500

**PERSONNEL DATA**

**Position Data**

Filled Positions by Funding Source

State Supported .....	250	294	286	286
Federal .....	67	17	16	16
All Other .....	—	5	7	7
<b>Total Positions .....</b>	<b>317</b>	<b>316</b>	<b>309</b>	<b>309</b>

Filled Positions by Program

Air Pollution Control .....	89	83	83	83
Solid Waste .....	43	47	44	43
Water Pollution Control .....	105	110	107	109
Land Use Regulation .....	34	31	32	32
Hazardous Waste Management .....	46	45	43	42
<b>Total Positions .....</b>	<b>317</b>	<b>316</b>	<b>309</b>	<b>309</b>

Notes: Actual fiscal years 1995 and 1996 and Revised fiscal year 1997 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1998 reflects the number of positions funded.

### APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1996					Year Ending June 30, 1998				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1997 Adjusted Approp.	Requested	Recom- mended	
<b>Distribution by Program</b>									
2,264	—	761	3,025	2,979		2,545	2,590	2,590	
6,944	25	217	7,186	7,026	08	5,831	5,831	5,831	
1,191	12	100	1,303	1,271	15	1,473	1,529	1,529	
2,443	—	75	2,518	2,498					
<u>1,220</u>	<u>8</u>	<u>-32</u>	<u>1,196</u>	<u>1,170</u>	17	2,317	2,317	2,317	
<b>14,062</b>	<b>45</b>	<b>1,121</b>	<b>15,228</b>	<b>14,944</b>	23	<u>1,347</u>	<u>1,347</u>	<u>1,347</u>	
<b>Total Appropriation</b>						<b>13,513<sup>(a)</sup></b>	<b>13,614</b>	<b>13,614</b>	
<b>Distribution by Object</b>									
Personal Services:									
<u>9,614</u>	<u>25</u>	<u>930</u>	<u>10,569</u>	<u>10,567</u>		<u>10,256</u>	<u>10,460</u>	<u>10,460</u>	
9,614	25	930	10,569	10,567		10,256	10,460	10,460	
253	1	-59	195	171		169	171	171	
2,739	—	-107	2,632	2,504		1,553	1,464	1,464	
548	—	9	557	526		420	404	404	
Special Purpose:									
—	—	—	—	—	08	360	360	360	
<u>673</u>	<u>12<sup>R</sup></u>	<u>—</u>	<u>685</u>	<u>685</u>	15	<u>673</u>	<u>673</u>	<u>673</u>	
673	12	—	685	685		1,033	1,033	1,033	
235	7	348	590	491		82	82	82	

### OTHER RELATED APPROPRIATIONS

<u>2,853</u>	<u>456</u>	<u>-365</u>	<u>2,944</u>	<u>2,456</u>	<b>Total State Aid</b>	<u>2,453</u>	<u>2,453</u>	<u>2,453</u>
<b>16,915</b>	<b>501</b>	<b>756</b>	<b>18,172</b>	<b>17,400</b>	<b>Total General Fund</b>	<b>15,966</b>	<b>16,067</b>	<b>16,067</b>
<b>Federal Funds</b>								
3,280	—	—	3,280	2,236	02	3,280	2,928	2,928
482	—	—	482	240	15	482	529	529
<u>1,866</u>	<u>151</u>	<u>—</u>	<u>2,017</u>	<u>1,177</u>	23	<u>1,886</u>	<u>1,886</u>	<u>1,886</u>
<b>5,628</b>	<b>151</b>	<b>—</b>	<b>5,779</b>	<b>3,653</b>	<b>Total Federal Funds</b>	<b>5,648</b>	<b>5,343</b>	<b>5,343</b>

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 1996					Year Ending June 30, 1998				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1997 Adjusted Approp.	Requested	Recommended	
	1,422								
	<u>1,133<sup>R</sup></u>	<u>124</u>	<u>2,679</u>	<u>966</u>					
	<u>2,555</u>	<u>124</u>	<u>2,679</u>	<u>966</u>					
<u>22,543</u>	<u>3,207</u>	<u>880</u>	<u>26,630</u>	<u>22,019</u>					
					<b>All Other Funds</b>				
					Water Pollution Control	08	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>
					<i>Total All Other Funds</i>		<u>1,000</u>	<u>1,000</u>	<u>1,000</u>
					<b>GRAND TOTAL</b>		<u>22,614</u>	<u>22,410</u>	<u>22,410</u>

## LANGUAGE RECOMMENDATIONS

The unexpended balance as of June 30, 1997 in the Operation Clean Shores account is appropriated.

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

<b>182,852</b>	<b>12,443</b>	<b>4,502</b>	<b>199,797</b>	<b>189,957</b>	<b>Total Appropriation, Department of Environmental Protection</b>	<b>179,931</b>	<b>179,931</b>	<b>179,931</b>
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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

The amounts hereinabove for the Safe Drinking Water Fund account are payable out of receipts, and receipts in excess of the amount anticipated, not to exceed \$1,246,000, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

The amounts hereinabove for the Tidelands Peak Demands account are appropriated from receipts derived from the sales, grants, leases, licensing, and rentals of State riparian lands, together with an amount not to exceed \$1,508,000, subject to the approval of the Director of the Division of Budget and Accounting. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

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

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