

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 year 1996 budget recommendation of \$182 million will allow the Department to continue most of its existing programs at the current level of service.

The presentation of the Department's fiscal year 1996 budget constitutes a substantial departure from past practice. Consistent with the Governor's commitment to bring DEP "on budget", the fiscal year 1996 recommendation displays DEP's full spending authority for fees, penalties, special revenue, trust funds, and bond fund administration as a State appropriation. This budget also ends the dedication of fee revenue. Hence, the department will no longer be dependent on fee revenues for the funding of its operations. Thus, DEP's fiscal year 1996 budget is easier to understand, more amenable to oversight, and provides flexibility in allocating resources to critical programs. Moreover, these changes have been accomplished in a manner which is revenue-neutral to the State.

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

A total of \$26 million is appropriated for DEP's permitting programs, including Air Pollution, Water Pollution, Hazardous Waste and Land Use Regulation. The Department is exploring ways to make the permitting process more responsive, timely, and efficient, in part by expanding the use of general permits, making greater use of new technology, and allowing applicants to draft their own permits.

Perhaps DEP's most critical regulatory program is Air Pollution Control, for which the fiscal year 1996 budget appropriates \$16 million for planning, permitting and enforcement functions. This program includes \$11 million attributable to revenues collected pursuant to the Operating Permit (Title V) requirements of the Federal Clean Air Act and, accordingly, will be used to carry out the provisions of that Act.

Since passage of the federal Clean Air Act Amendments of 1990, DEP has coordinated the State's efforts to comply with restrictions on carbon monoxide and ozone emissions. The Department has explored several innovative regulatory strategies. For example, industrial source emissions will be reduced through market-based incentives such as emissions trading rather than specific regulations. DEP also assisted in negotiations with the Environmental Protection Agency (EPA) which resulted in an alternative automobile Inspection/Maintenance program that is less expensive for New Jersey motorists yet equally effective in reducing emissions. Through the Ozone Transport Commission, DEP interacts with neighboring states to pursue regional air quality solutions, such as the Low Emission Vehicle (California Car) initiative. The strategies required to attain federal air quality standards were contained in a preliminary State Implementation Plan which DEP submitted to the EPA in November, 1994.

The Department has implemented a four-tiered strategy designed to attain solid waste self-sufficiency. This strategy includes source reduction, recycling, in-state landfill and, as a last resort, a combination of incineration and out-of-state disposal. Toward this goal, the Recycling program has attained a 48 percent recycling rate for municipal waste. DEP has also limited the amount of trash sent to out-of-state disposal facilities to 20 percent. In April, 1995, the Department will produce a report summarizing its recommendations for de-regulating solid waste collection to promote competition.

The long-term goal of the Site Remediation Program is to restore contaminated sites to protect human health and the environment. The fiscal year 1996 budget includes \$34 million for staff costs associated with Site Remediation, all of which are derived from non-State funding sources. DEP expects to authorize a total of \$141 million for 97 publicly-funded cleanup projects in fiscal year 1996, funded principally from the Spill Compensation Fund, federal Superfund grants, and State bond fund resources. For many of these cases, DEP will seek to recover the cost from responsible parties who have not settled to date. DEP will also oversee approximately 725 cleanup projects funded by responsible parties who have agreed with DEP on a cleanup remedy. Thus, a total of 822 public and privately-funded projects will move forward in fiscal year 1996.

The Enforcement Policy programs are revising the way they enforce the State's environmental regulations. DEP has established an Alternative Dispute Resolution process to decrease the number of enforcement actions which are adjudicated. This new approach should help to lessen the burden of DEP-imposed fines on the regulated community in New Jersey. A total of \$14 million is appropriated for Enforcement activities in fiscal year 1996.

The Budget also provides continuation funding of \$49 million for DEP's Natural Resource programs, including the Division of Parks and Forestry. This level of funding will allow the state's parks to remain open to provide a wide range of recreational and educational opportunities ranging from hiking in the scenic Skylands to surf-fishing in the Atlantic to exploring historic villages.

Resources are also provided to protect our coastal areas. Shore protection funding needs are often the result of unpredictable harsh weather in the coastal regions. Hurricanes, storms, and tides dictate the types of projects conducted in any year, including beach nourishment, beach fill, artificial reef placement, and erosion control. DEP will receive a capital appropriation of \$15 million for these needs in fiscal year 1996.

ENVIRONMENTAL PROTECTION

SUMMARY OF APPROPRIATIONS BY PROGRAM (thousands of dollars)

Year Ending June 30, 1994					Year Ending June 30, 1996			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	1995 Adjusted Approp.	Requested	Recommended	
612	760	-5	1,367	805	Natural Resource Management			
5,707	6	-356	5,357	5,362	Marina Operations	694	694	694
22,238	4,332	685	27,255	25,852	Forest Resource Management	5,668	5,668	5,668
10,251	4,173	1	14,425	12,062	Parks Management	28,392	28,260	28,260
1,364	—	-71	1,293	1,274	Hunters' and Anglers' License Fund	10,975	10,975	10,975
					Shellfish and Marine Fisheries Management	1,287	1,287	1,287
550	572	—	1,122	628	Wildlife Management	312	312	312
1,437	706	-80	2,063	1,711	Natural Resources Engineering	2,022	1,792	1,792
1,522	—	-19	1,503	1,503	Palisades Park Management	1,239	1,239	1,239
990	2	-12	980	980	Patrol Activities and Crime Control	990	990	990
44,671	10,551	143	55,365	50,177	<i>Subtotal</i>	51,579	51,217	51,217
					Science and Technical Programs			
3,409	3,266	-355	6,320	5,397	Radiation Protection	4,975	4,890	4,890
6,422	2,790	944	10,156	9,189	Air Pollution Control	8,712	7,973	7,973
1,907	2,525	-640	3,792	2,793	Pesticide Control	3,045	3,020	3,020
4,045	7,967	-1,186	10,826	8,209	Water Supply and Watershed Management	8,325	8,245	8,245
973	4	-147	830	824	Water Monitoring and Planning	1,160	841	841
13,970	23,070	-11,093	25,947	15,376	Solid Waste Resource Management	13,738	10,806	10,806
2,510	1	-67	2,444	2,422	Science and Research	2,300	2,300	2,300
491	—	-10	481	480	Water Quality Management	756	—	—
197	—	-7	190	190	Management Policy and Planning	185	185	185
33,924	39,623	-12,561	60,986	44,880	<i>Subtotal</i>	43,196	38,260	38,260
					Site Remediation			
13,178	2,751	-466	15,463	12,913	Publicly-Funded Site Remediation	12,997	12,997	12,997
4,454	985	-1,015	4,424	1,876	Water Quality Management	—	—	—
16,241	8,953	-3,400	21,794	17,593	Responsible Party Site Remediation	21,439	21,337	21,337
33,873	12,689	-4,881	41,681	32,382	<i>Subtotal</i>	34,436	34,334	34,334
					Environmental Regulation			
2,700	9,059	-6,326	5,433	5,239	Air Pollution Control	5,818	5,753	5,753
7,727	4,743	-1,193	11,277	11,270	Water Pollution Control	10,215	9,092	9,092
—	688	—	688	688	Public Wastewater Facilities	628	628	628
4,626	2,002	1,563	8,191	8,186	Land Use Regulation	6,347	6,181	6,181
5,158	3,953	-2,149	6,962	5,269	Hazardous Waste Management	4,551	4,297	4,297
20,211	20,445	-8,105	32,551	30,652	<i>Subtotal</i>	27,559	25,951	25,951
					Environmental Planning and Administration			
789	7	2,834	3,630	3,548	Regulatory and Governmental Affairs	3,098	2,565	2,565
4,496	238	15,331	20,065	20,057	Management and Administrative Services	18,818	15,639	15,639
5,285	245	18,165	23,695	23,605	<i>Subtotal</i>	21,916	18,204	18,204

ENVIRONMENTAL PROTECTION

Year Ending June 30, 1994					Year Ending June 30, 1996			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		1995 Adjusted Approp.	Requested	Recom- mended
1,100	48	2,664	3,812	3,789	Enforcement Policy			
2,819	18,494	-5,596	15,717	8,846	Air Pollution Control	2,503	2,264	2,264
1,176	—	-96	1,080	1,080	Water Pollution Control	7,190	6,944	6,944
—	—	2,925	2,925	2,925	Land Use Regulation	1,224	1,191	1,191
1,222	978	265	2,465	2,093	Solid Waste Resource Management	2,483	2,443	2,443
					Hazardous Waste Management	1,409	1,220	1,220
6,317	19,520	162	25,999	18,733	<i>Subtotal</i>	14,809	14,062	14,062
144,281	103,073	-7,077	240,277	200,429	<i>Total Appropriation</i>	193,495	182,028	182,028

ENVIRONMENTAL PROTECTION

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT 42. NATURAL RESOURCE MANAGEMENT

OBJECTIVES

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

PROGRAM CLASSIFICATIONS

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

assistance, information, interpretive and protective services to the public; manages properties to ensure the preservation of natural and historic resources while maintaining high quality recreational opportunities; plans for the development and improvement of new facilities and reviews and approves all new construction; provides literature regarding recreational facilities, natural area and historic preservation.

13. **Hunters' and Anglers' License Fund.** Manages wildlife resources of the State through programs of research, regulation, habitat development, land acquisition, law enforcement and public education. Trout and other species of fish, pheasants, and quail are reared at state hatcheries and game farms and released throughout the State; public lands are acquired and maintained for use as wildlife management areas. Regulations regarding hunting and fishing seasons are developed and licenses are sold to provide a source of revenue to manage the State's wildlife resources.
14. **Shellfish and Marine Fisheries Management.** Maintains shellfish and marine resources of the State through research programs, the depositing of oyster shells in depleted beds and the transplanting of clams from polluted to clean waters. Oyster and clam grounds in the Delaware Bay and along the Atlantic coast are leased to the shellfish industry for harvesting. The Marine Fisheries Resource Management program protects the resource from environmental degradation and develops effective programs of species management for the benefit of recreational and commercial harvesters.
20. **Wildlife Management.** Conducts wildlife research to protect, manage, and use the State's non-game endangered species. Additional responsibilities include permit review for wildlife possession, bird banding, scientific collection and public information.
21. **Natural Resources Engineering.** Develops, maintains, dredges and marks navigation channels on 200 miles of tidal inland waterways and large State-controlled lakes for the safety and protection of the boating public and industries. Provides financial assistance to local governments with the construction of groins, jetties, bulkheads, seawalls, and beach replenishment under the shore protection program, carries out various dam safety inspections, and administers flood control and harbor cleanup programs.

EVALUATION DATA

	Actual FY 1993	Actual FY 1994	Revised FY 1995	Budget Estimate FY 1996
PROGRAM DATA				
Marina Operations				
Marinas operated	4	4	4	4 ^(a)
Marina berths in service	1,070	1,070	1,070	1,070
Marina berth applications	800	800	800	800
Forest Resource Management				
Fires (annual)	1,309	1,601	1,600	1,600
Acres lost (annual)	9,997	3,422	10,000	10,000
Fires per million acres, national rank	3	3	3	3
Acres consumed per million acres protected, national rank	3	3	3	3
Woodland assessment reviews	2,636	2,755	2,800	2,800

ENVIRONMENTAL PROTECTION

	Actual FY 1993	Actual FY 1994	Revised FY 1995	Budget Estimate FY 1996
Acreage – woodland assessment	239,054	249,847	250,000	250,000
Trees planted	700,000	764,000	764,000	764,000
Urban forest assists	400	478	480	480
Seedling production	750,000	775,000	779,000	779,000
Parks Management				
State parks and forests				
Total acres	305,000	306,000	308,000	309,000
Total visitors	10,945,000	12,500,000	12,600,000	12,600,000
Total revenue	\$4,040,000	\$3,944,108	\$4,164,582	\$4,165,000
Historic sites	27	27	27	27
Revenue	\$23,000	\$23,000	\$23,000	\$23,000
Visitors	360,000	365,000	370,000	370,000
Hunters' and Anglers' License Fund				
State-owned land managed (acres)	211,254	217,344	220,000	220,000
Hunting and fishing licenses and stamps issued	581,797	573,433	570,000	570,000
Trout propagated and distributed	785,579	731,440	740,000	740,000
Pheasants reared at game farms	50,000	55,000	50,000	50,000
Other fish propagated and distributed	610,000	507,946	508,000	508,000
Quail reared at game farms	15,000	15,000	15,000	15,000
Shellfish and Marine Fisheries Management				
Licenses	16,689	16,588	16,600	16,600
Acres leased	33,121	31,817	32,000	32,000
Seed oysters transplanted (bu.)	50,000	—	20,000	20,000
Clams transplanted (bu.)	52,370	19,633	20,000	20,000
Leases	1,860	1,704	1,750	1,750
Natural Resources Engineering				
Channel miles managed	800	400	400	400
Buoys installed	970	363	363	363
Markers installed	2,200	3,539	3,539	3,539
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	877	887	885	898
Federal	29	35	31	35
All Other	5	6	7	6
Total Positions	911	928	923	939
Filled Positions by Program				
Marina Operations	17	17	17	18
Forest Resource Management	97	98	102	103
Parks Management	490	492	476	483
Hunters' and Anglers' License Fund	206	214	222	220
Shellfish and Marine Fisheries Management	33	37	37	38
Natural Resources Engineering	58	60	58	66
Wildlife Management	10	10	11	11
Total Positions	911	928	923	939

Note: Actual fiscal years 1993 and 1994 and Revised fiscal year 1995 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1996 reflects the number of positions funded.

(a) The Forked River Marina is scheduled for sale in fiscal year 1996, pending public comment and review by the State House Commission.

ENVIRONMENTAL PROTECTION

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1994					Year Ending June 30, 1996				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1995 Adjusted Approp.	Requested	Recommended	
Distribution by Program									
612	760	-5	1,367	805	10	694	694	694	
5,707	6	-356	5,357	5,362	11	5,668	5,668	5,668	
22,238	4,332	685	27,255	25,852	12	28,392	28,260	28,260	
10,251	4,173	1	14,425	12,062	13	10,975	10,975	10,975	
1,364	—	-71	1,293	1,274	14	1,287	1,287	1,287	
550	572	—	1,122	628	20	312	312	312	
1,437	706	-80	2,063	1,711	21	2,022	1,792	1,792	
42,159	10,549	174	52,882	47,694		49,350^(a)	48,988	48,988	
Distribution by Object									
Personal Services:									
29,844	348	3,368	33,560	29,773		34,665	34,514	34,514	
—	—	—	—	2,649		—	—	—	
29,844	348	3,368	33,560	32,422		34,665	34,514	34,514	
3,671	415	107	4,193	3,853		3,275	3,275	3,275	
1,773	251	-119	1,905	1,678		2,067	2,086	2,086	
2,495	285	-8	2,772	2,385		2,245	2,245	2,245	
Special Purpose:									
—	560	—	—	—	10	—	—	—	
1,025	179 ^R	-279	460	—	11	1,025	1,025	1,025	
225	—	—	225	225	11	—	—	—	
—	40	—	—	—	12	—	—	—	
—	100 ^R	—	140	—	12	—	—	—	
—	426 ^R	—	426	253	12	420	420	420	
—	3,765 ^R	—	3,765	2,778	12	3,848	3,848	3,848	
22	—	—	22	22	12	22	22	22	
149	—	—	149	149	12	149	149	149	
90	—	—	90	90	12	90	90	90	
5	—	—	5	5	12	5	5	5	
150	—	—	150	150	12	—	—	—	
20	—	—	20	19	12	20	20	20	
50	—	-50	—	—	12	—	—	—	
120	—	—	120	119	12	—	—	—	
180	—	—	180	180	12	—	—	—	
—	—	250	250	44	12	—	—	—	
—	940	—	—	—	13	—	—	—	
—	1,798 ^R	-2,736	2	—	13	—	—	—	
63	—	-22	41	38	14	—	—	—	
30	—	22	52	52	14	—	—	—	
22	—	—	22	21	14	—	—	—	
300	191	—	872	378	20	312	312	312	
250	381 ^R	—	—	—	20	—	—	—	
230	—	—	250	250	21	230	—	—	
—	246 ^R	—	246	28	21	242	242	242	
—	273 ^R	—	273	205	21	263	263	263	

ENVIRONMENTAL PROTECTION

Donations account as of June 30, 1995, 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 1987 Historic Trust Administrative Costs account 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., together with an amount not to exceed \$10,000 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.

It is further recommended that receipts in excess of the amount anticipated from fees and permit receipts from the use of State park and marina facilities be appropriated for Parks Management, subject to the approval of the Director of the Division of Budget and Accounting.

It is further recommended that the amount hereinabove for the Green Acres Administration account be appropriated from the "1992 New Jersey Green Acres Fund" and the "1992 New Jersey Green Trust Fund" pursuant to the Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992, P.L. 1992, c.88, together with an amount not to exceed \$120,000 subject to the approval of the Director of the Division of Budget and Accounting, for the administration of the Green Acres program.

It is further recommended that an amount not to exceed \$230,000 be appropriated for the operation and maintenance of the Bayshore Flood Control facility from the "Shore Protection Fund" created pursuant to P.L. 1992, c.148.

It is further recommended that an amount not to exceed \$822,000 be appropriated from the "Shore Protection Fund", created pursuant to P.L. 1992, c.148, 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.

It is further recommended that the amounts hereinabove for the Harbor Cleanup Administrative Costs and the Dam Repair Administrative Costs accounts be appropriated from the Natural Resources Fund created pursuant to P.L. 1980, c.70, together with an amount not to exceed \$12,000 subject to the approval of the Director of the Division of Budget and Accounting, for administrative costs related to these bond funds.

It is further recommended that the amount hereinabove for the Emergency Flood Control Administrative Costs account be appropriated from the Emergency Flood Control Fund created pursuant to P.L. 1978, c.78, together with an amount not to exceed \$63,000 subject to the approval of the Director of the Division of Budget and Accounting, for administrative costs related to this bond fund.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

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.

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.

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

EVALUATION DATA

PROGRAM DATA	Actual FY 1993	Actual FY 1994	Revised FY 1995	Budget Estimate FY 1996
Palisades Park Management				
Parks Management:				
Acreage maintained	2,452	2,452	2,452	2,452
Park Attendance	1,974,372	1,925,242	1,950,000	1,950,000
Boat stalls and moorings	264	264	264	264

ENVIRONMENTAL PROTECTION

	Actual FY 1993	Actual FY 1994	Revised FY 1995	Budget Estimate FY 1996
Patrol Activities and Crime Control				
Cars on parkway	23,532,440	23,936,435	24,500,000	24,500,000
Roads and paths (miles)	25	25	25	25
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	88	87	84	82
Total Positions	88	87	84	82
Filled Positions by Program Class				
Parks Management	56	55	54	53
Patrol Activities and Crime Control	32	32	30	29
Total Positions	88	87	84	82

Notes: Actual fiscal years 1993 and 1994 and Revised fiscal year 1995 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1996 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1994					Year Ending June 30, 1996			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1995 Adjusted Approp.	Requested	Recom- mended
Distribution by Program								
1,522	—	-19	1,503	1,503				
990	2	-12	980	980	24	1,239	1,239	1,239
2,512	2	-31	2,483	2,483	25	990	990	990
						2,229^(a)	2,229	2,229
Distribution by Object								
Personal Services:								
1,849	—	—	1,849	1,849		1,616	1,616	1,616
1,849	—	—	1,849	1,849		1,616	1,616	1,616
288	—	-14	274	274		276	276	276
186	—	-13	173	173		122	122	122
187	—	—	187	187		215	215	215
2	2	-4	—	—		—	—	—
OTHER RELATED APPROPRIATIONS								
2,512	2	-31	2,483	2,483		—	1,300	—
						2,229	3,529	2,229
All Other Funds								
—	2,459	—	4,699	2,282	24	2,196	2,167	2,167
—	2,240 ^R	—	4,699	2,282		2,196	2,167	2,167
2,512	4,701	-31	7,182	4,765		4,425	5,696	4,396

Notes: (a) The fiscal year 1995 appropriation has been adjusted for the allocation of salary program.

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, 1995 of such receipts, be appropriated.

ENVIRONMENTAL PROTECTION

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

43. SCIENCE AND TECHNICAL PROGRAMS

OBJECTIVES

1. To protect the public and the environment against unnecessary radiation exposure from natural and man-made sources.
2. To coordinate, plan and develop strategies for implementation of the Federal Clean Air Act.
3. To assure a safe and dependable supply of water.
4. 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.
5. 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.
6. To undertake applied scientific research, technical activities and policy development associated with human exposure to toxic substances, as well as other critical environmental issues identified by DEP. These activities are designed to meet the Department's information and problem-solving needs, and to identify emerging issues that require their attention and response.
7. 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.
8. 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.
9. 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.
10. 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.
11. To survey hazardous substances inventory data from 32,000 facilities and for actual release data of hazardous substances from 1,000 facilities. The survey data is used internally and by local agencies and citizens in developing community-based chemical emergency response plans.
12. To submit risk management plans detailing how to manage the risks involved with the handling and storage of extraordinarily hazardous substances whose release in the environment could cause death or permanent disability. The Risk Management Plan requires a formal hazard analysis to identify and quantify potential points of release; followed by

dispersion and consequence analysis to determine the effect of the release on the surrounding community and the measures that the facility has taken to prevent the release from occurring.

13. To establish and maintain policies and procedures for the generation, compilation, review and use of data of documental quality as required by the USEPA.
14. To certify the analytical capabilities of laboratories performing analyses in response to the State's environmental programs.

PROGRAM CLASSIFICATIONS

01. **Radiation Protection.** Identifies the location and character of natural and man-made radiation sources, determines the biological impact of those sources (including major nuclear facilities), and provides direction on remediation options. Controls the possession, transportation, use and storage of radioactive materials, and plans for the prevention and remedy of mass exposure, including evacuation, containment and decontamination. This unit also registers licenses, and inspects x-ray machines and radioactive material users, certifies x-ray technicians, nuclear medicine technicians, and radon testers and mitigators.
02. **Air Pollution Control.** Implements New Jersey's Community Right To Know and SARA Title III programs which gather information on the use, storage and release to the environment of toxic chemicals in the State. Implements the "Toxic Catastrophe Prevention Act," to identify companies which handle extraordinary hazardous substances and to ensure that procedures are in place to prevent devastating accidental chemical releases. The Discharge Prevention Controls and Countermeasures (Oil Spill Prevention) program reduces the possibility of hazardous spills and, if they occur, mitigates their consequences. Provides program coordination to comply with state and federal mandates to attain air quality standards, conducts air monitoring, planning analysis, and motor vehicle pollution control projects, and coordinates the development of regulations.
04. **Pesticide Control.** Enforces regulations concerning the manufacture, distribution, storage, sale, possession and use of pesticides, and registers all pesticide products sold in the State. This unit also certifies pesticide applicators, plans prevention and remediation of serious incidents, issues permits to dealers and inspects their establishments, investigates complaints or reported incidents, and conducts research to determine the effects and hazards of pesticides.
05. **Water Supply and Watershed Management.** Administers the 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.
07. **Water Monitoring and Planning.** Conducts ambient state-wide 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

ENVIRONMENTAL PROTECTION

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.

17. **Solid Waste Resource Management.** Supervises the collection, processing, reduction and disposal of solid waste. Through the rate approval process, controls charges paid for solid waste collection services. Regulates and oversees mergers and acquisitions as well as long term financing arrangements for the solid waste utility industry. Regulations and standards are implemented through on-site construction inspections, design-reviews, monitoring and the permitting of collection, processing and disposal operations. Meeting the 60% recycling goal is encouraged through the development and implementation of comprehensive state and district solid waste management plans and implementation of a statewide recycling program. Also administers the Comprehensive Regulated Medical Waste Management Act (P.L. 1989, c.34), and grant and loan programs authorized pursuant to the 1980 Natural Resources Bond Act, Solid Waste Services and Resource Recovery Investment Tax Program (P.L. 1985, c.38), the Resource Recovery and Solid Waste Disposal Facility Bond Act (P.L. 1985, c.330), the State Recycling Act (P.L. 1987, c.102) and the Clean Communities Act (P.L. 1985, c.533).
18. **Science and Research.** Provides a fundamental science foundation for a wide range of departmental actions and standard setting activities. Scientific information needs of the

department are met through applied research and technical evaluations; scientific investigations and technical assessments of toxic and carcinogenic contaminants; ecological risk assessment; detection and fate of pollutants in water, air and soils; innovative technologies for remediation of hazardous waste sites; coastal and estuarine water quality; and effective risk communication techniques. Develops human health criteria for toxic contaminant standards in potable water, ground water, surface water and soil (cleanup standards under the Industrial Site Recovery Act). Identifies emerging environmental issues (e.g., environmental indicators, comparative risk assessments, mercury contamination of the environment) meriting departmental attention.

22. **Water Quality Management.** Maps the geology and topography of the State, assesses mineral resources, maintains a cooperative monitoring program with the United States Geological Service (USGS) and reviews plans for underground storage of gas, oil and chemicals, high level radioactive wastes and disposal wells. Also evaluates the supply potential and water quality of the State's aquifers, investigates groundwater pollution problems, and supports other State and municipal programs through geophysical studies and groundwater investigations.
90. **Management Policy and Planning.** Coordinates the departmental review and the issuance of comments on all environmental impact statements for major projects required by the National Environmental Policy Act and the Governor's Executive Order on environmental assessments.

EVALUATION DATA

PROGRAM DATA	Actual FY 1993	Actual FY 1994	Revised FY 1995	Budget Estimate FY 1996
Radiation Protection				
Radioactive material licenses	253	257	251	251
X-ray machines registered	20,275	20,978	21,800	22,500
Enforcement Actions:				
X-ray machine violations	437	977	900	850
X-ray technologist licenses	16,353	16,931	16,000	17,000
X-ray technologist licenses verified	10,557	9,692	10,000	10,300
New X-ray technologist licenses	800	1,444	1,100	1,100
X-ray machines inspected	6,841	6,373	6,500	7,000
Radioactive material inspections	164	176	170	170
Radon testers/mitigators	47	145	143	144
Radon certification renewals	540	552	514	534
Emergency event responses	15	28	30	30
Nuclear emergency drills	16	12	14	14
Power plant inspections reviewed	55	50	48	50
Air Pollution Control				
Toxic Catastrophe Prevention				
Annual risk management plan reviews	102	99	80	70
Compliance inspections	24	22	60	40
Accident investigations	2	3	4	4
New facility reviews	3	4	5	4
Right To Know				
Program Awareness:				
Presentations	15	12	16	15
Participants	2,300	1,900	2,500	2,300
Information requests	2,400	3,300	2,800	2,800
Enforcement Activities:				
Audits for facilities	1,731	890	700	800
Notice of violations	295	295	550	400

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	Actual FY 1993	Actual FY 1994	Revised FY 1995	Budget Estimate FY 1996
Discharge Prevention, Control and Countermeasure				
Enforcement Actions:				
Discharge confirmation reports	925	671	695	600
Discharge response/accepted	922	784	695	600
Environmental labs certified	126	204	165	130
Pesticide Control				
Investigations and inspections	1,642	1,581	1,600	1,700
Registration of products	10,818	11,084	11,000	11,000
Pesticide applicators certified for restricted pesticide use	9,482	9,720	9,500	9,500
Pesticide operators certified for restricted pesticide use	3,468	3,523	3,500	3,000
Environmental labs certified	925	950	990	925
Quality assurance actions	513	441	564	625
Water Supply and Watershed Management				
Water allocation permits processed	75	87	87	113
Well drilling permits issued	18,774	20,081	22,300	22,300
Safe drinking water permits issued	189	180	180	157
Water Monitoring and Planning				
Ambient fresh water quality samples analyzed	2,226	1,181	1,284	1,664
Ambient Marine Water:				
Water samples analyzed	10,000	14,800	18,000	18,000
Acres evaluated	700,000	700,000	700,000	700,000
Percent open	74	74	75	75
Percent seasonal	3	3	3	4
Percent condemned	15	15	15	14
Percent specially restricted	8	8	7	7
Solid Waste Resource Management				
Closure plans reviewed	20	17	22	24
Solid Waste Disposal Facilities:				
Major reviews completed	87	78	94	100
Minor reviews completed	79	114	200	200
Recycling tonnage grants	543	554	555	555
Clean Communities grants	514	538	550	550
Medical Waste generators registered	16,300	16,950	17,400	17,800
Solid Waste Plan amendments approved	38	39	40	40
A-901 applicants	46	47	50	55
A-901 renewals	1,050	1,012	1,025	1,050
Solid Waste utilities regulated	540	548	530	550
Utility cases pending	732	372	340	300
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	670	633	592	567
Federal	25	42	51	48
All Other	23	6	5	6
Total Positions	718	681	648	621

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	Actual FY 1993	Actual FY 1994	Revised FY 1995	Budget Estimate FY 1996
Filled Positions by Program				
Air Pollution Monitoring	82	74	69	69
Science and Research	37	41	30	30
Management Policy and Planning	4	4	4	4
Radiation Protection	83	85	74	82
Air Pollution Control	70	68	68	56
Pesticide Control	63	50	53	56
Water Supply and Watershed Management	159	153	151	142
Water Monitoring	43	38	45	39
Solid Waste Resource Management	177	168	154	143
Total Positions	718	681	648	621

Notes: Actual fiscal years 1993 and 1994 and Revised fiscal year 1995 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1996 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1994					Year Ending June 30, 1996				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		Prog. Class.	1995 Adjusted Approp.	Requested	Recom- mended
Distribution by Program									
3,409	3,266	-355	6,320	5,397	Radiation Protection	01	4,975	4,890	4,890
6,422	2,790	944	10,156	9,189	Air Pollution Control	02	8,712	7,973	7,973
1,907	2,525	-640	3,792	2,793	Pesticide Control	04	3,045	3,020	3,020
4,045	7,967	-1,186	10,826	8,209	Water Supply and Watershed Management	05	8,325	8,245	8,245
973	4	-147	830	824	Water Monitoring and Planning	07	1,160	841	841
13,970	23,070	-11,093	25,947	15,376	Solid Waste Resource Management	17	13,738	10,806	10,806
2,510	1	-67	2,444	2,422	Science and Research	18	2,300	2,300	2,300
491	—	-10	481	480	Water Quality Management	22	756	—	—
197	—	-7	190	190	Management Policy and Planning	90	185	185	185
33,924	39,623	-12,561	60,986	44,880	Total Appropriation		43,196^(a)	38,260	38,260
Distribution by Object									
Personal Services:									
14,722	566	263	15,551	11,748	Salaries and Wages		14,388	12,888	12,888
—	—	—	—	3,078	Employee Benefits		—	—	—
14,722	566	263	15,551	14,826	Total Personal Services		14,388	12,888	12,888
220	123	92	435	336	Materials and Supplies		732	717	717
1,169	1,738	943	3,850	3,676	Services Other Than Personal		4,610	4,430	4,430
557	746	-659	644	589	Maintenance and Fixed Charges		574	566	566
Special Purpose:									
1,800					Nuclear Emergency Response	01	1,658	1,658	1,658
200 ^S	376	111	2,487	2,201	Toxic Catastrophe Prevention	02	1,293	743	743
1,400	514 ^R	—	2,002	1,998	Worker and Community Right to Know Act	02	1,028	915	915
922	500 ^R	15	1,850	1,533	Oil Spill Prevention	02	2,178	2,178	2,178
2,000	800 ^R	3	2,803	2,202	Pesticide Control	04	2,144	2,124	2,124
1,907	1,516 ^R	-639	3,404	2,630	Quality Assurance ^(b)	04	901	896	896
—	389 ^R	-1	388	163	Administrative Costs Water Supply Bond Act of 1981 - Management	05	954	954	954
—	753 ^R	—	753	674	Administrative Costs Water Supply Bond Act of 1981 - Watershed and Aquifer	05	1,213	1,213	1,213
—	1	—	2,173	1,447					
—	2,172 ^R	—	2,173	1,447					

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Year Ending June 30, 1994					Year Ending June 30, 1996				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1995 Adjusted Approp.	Requested	Recommended	
—	799 ^R	—	799	568					
	486								
70	134 ^R	1	691	157	05	800	800	800	
58	—	—	58	54	05	43	43	43	
	1				05	58	58	58	
1,750	750 ^R	-583	1,918	1,871	05	1,936	1,936	1,936	
190	40 ^R	—	230	228	17	418	418	418	
						2,052			
900	2,133				17	2,166 ^S	1,881	1,881	
2,834 ^S	3,031 ^R	-3,649	5,249	2,761	17	224	224	224	
—	222 ^R	—	222	152	17	919	919	919	
748	1,300 ^R	—	2,048	1,964	17	291	291	291	
350	200 ^R	—	550	431	17	1,341	1,139	1,139	
	4,383				18	500	500	500	
—	4,806 ^R	-2,223	6,966	2,231	18	—	—	—	
500	—	—	500	480	18	—	—	—	
150	—	—	150	150	18	—	—	—	
48	—	—	48	48	18	—	—	—	
610	—	—	610	610	18	—	—	—	
	2,490					—	—	—	
647	7,306 ^R	-6,112	4,331	626		22,117	18,890	18,890	
17,084	36,223	-13,077	40,230	25,179		775	769	769	
172	227	-123	276	274					

OTHER RELATED APPROPRIATIONS

100	23,607	-909	22,798	1,958	Total State Aid	—	—	—
12,000	8,905	—	20,905	6,091	Total Capital Construction	7,600	3,425	—
46,024	72,135	-13,470	104,689	52,929	Total General Fund	50,796	41,685	38,260
					Federal Funds			
1,229	335	—	1,564	400	Radiation Protection	01	1,324	1,375
2,240	9	—	2,249	1,771	Air Pollution Control	02	2,605	2,202
486	59	—	545	488	Pesticide Control	04	486	522
13,776	612	—	14,388	1,942	Water Supply and Watershed Management	05	13,500	13,500
6,000								
15 ^S	1,015	-302	6,728	2,345	Water Monitoring and Planning	07	4,200	4,200
935								
55 ^S	1,329	—	2,319	783	Solid Waste Resource Management	17	895	1,575
785							1,310	
145 ^S	22	-5	947	280	Science and Research	18	25 ^S	3,366
500	129	—	629	75	Water Quality Management	22	300	300
26,166	3,510	-307	29,369	8,084	Total Federal Funds		24,645	27,040

ENVIRONMENTAL PROTECTION

Orig. & (S)Supple- mental	Year Ending June 30, 1994				Prog. Class.	1995 Adjusted Approp.	Year Ending June 30, 1996		
	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended			Requested	Recom- mended	
	13,203								
—	44 ^R	—	13,247	1,030	Radiation Protection	01	1,980	1,323	1,323
—	306	-59	247	—	Water Supply and Watershed Management	05	—	—	—
	20								
—	21 ^R	—	41	2	Water Monitoring and Planning	07	25	31	31
	115								
—	260 ^R	170	545	430	Solid Waste Resource Management	17	—	—	—
	503								
—	87 ^R	—	590	42	Science and Research	18	140	499	499
—	4,259	—	4,259	1,955	Water Quality Management	22	26	26	26
—	<u>18,818</u>	<u>111</u>	<u>18,929</u>	<u>3,459</u>	<i>Total All Other Funds</i>		<u>2,171</u>	<u>1,879</u>	<u>1,879</u>
72,190	94,463	-13,666	152,987	64,472	GRAND TOTAL		77,612	70,604	67,179

- Notes: (a) The fiscal year 1995 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Salary and Other Benefits accounts.
- (b) Expenditures for the Quality Assurance Program in fiscal year 1994 are reflected in other programs, also includes the Laboratory Certification Program.
- (c) The fiscal year 1995 appropriations have been distributed to the applicable operating accounts.

LANGUAGE PROVISIONS

It is 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, 1995 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.

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 \$250,000, 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 appropriated from the Spill Compensation Fund, and that receipts in excess of those anticipated, not to exceed \$550,000, from the Spill Compensation Fund for the Oil Spill Prevention program be 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.

It is further recommended that the amount hereinabove for the Safe Drinking Water Fund account be payable out of receipts, and that receipts in excess of the amount anticipated, not to exceed \$988,000, be 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.

It is further recommended that the amounts hereinabove for the Administrative Costs Water Supply Bond Act of 1981 - Water Supply Management; Watershed and Aquifer; and Planning and Standards accounts be appropriated from the "Water Supply Bond Act of 1981," P.L. 1981, c.261, together with an amount, not to exceed \$75,000, 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 Sanitary Landfill Facility Contingency Fund-Administration account, be appropriated from the Sanitary Landfill Facility Contingency Fund, together with an amount not to exceed \$18,000, for administrative costs, subject to the approval of the Director of the Division of Budget and Accounting.

It is further recommended that, notwithstanding the provisions of P.L. 1991, c.169, the repayment of the \$5 million advance from the General Fund to the Solid and Hazardous Waste Disposal Disclosure Act (A-901) program shall be appropriated from the Sanitary Landfill Closure and Contingency Fund.

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It is further recommended that the amount hereinabove for the Administration of Resource Recovery and Solid Waste Disposal Facility Fund account be appropriated from the Resource Recovery and Solid Waste Disposal Facility Fund, together with an amount, not to exceed \$34,000, 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.

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.), the amount hereinabove for the Recycling of Solid Waste account be appropriated from the State Recycling Fund, together with an amount, not to exceed \$874,000, 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.

It is further recommended that the amount hereinabove for the Clean Communities-Administration account be appropriated from receipts received pursuant to section 7 of P.L. 1985, c.533 (C.13:1E-99.2), together with an amount, not to exceed \$160,000, for Clean Communities program administration, 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.

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 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 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 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.

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 found or will not perform. Its powers have been expanded through amendments to the Spill Fund Compensation and Control Act (P.L. 1979, c.346) to respond to a broad class of hazardous substance discharges. The major ramifications of these amendments are the ability to identify and remedy abandoned contaminated sites, and the mitigation of imminent discharge hazards. Remedial projects generally go through the following project cycle: Preliminary Assessment/ Site Investigation; Remedial Investigation and Feasibility Study; Design; Construction; and Operation and Maintenance. These activities are supported by a combination of federal (Superfund) and state funds.

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22. **Water Quality Management.** Administers the Ground Water Pollution Abatement portion of the New Jersey Pollutant Discharge Elimination System (NJPDDES) through the monitoring of active discharges, the processing of ground water remediation, and the evaluation of post discharge activity.
27. **Responsible Party Site Remediation.** Conducts a statewide program for the cleanup of sites contaminated by hazardous substances through oversight of remediations conducted by private parties. Works with parties willing to remediate a site

under the state's voluntary cleanup program or the state's risk based cleanup program. Provides oversight to assure that appropriate standards and technical requirements are met. The division handles cleanups from low to high complexity under the authority of the State Spill Compensation and Control Act, ISRA, Underground Storage of Hazardous Substances Act and the Water Pollution Control Act. The program also coordinates with the USEPA and other federal agencies on federal facility sites, National Priority List sites, and other emergency and long-term remedial sites.

EVALUATION DATA

	Actual FY 1993	Actual FY 1994	Revised FY 1995	Budget Estimate FY 1996
PROGRAM DATA				
Responsible Party Site Remediation				
ISRA:				
Negative declarations	759	525	160	160
Remedial action workplan approvals	137	41	56	56
Remediations monitored	416	390	400	400
Remediations completed	81	61	40	40
Discharge Response Element:				
Emergency responses	1,324	1,238	1,261	1,300
Remediations monitored	1,202	1,684	1,936	2,130
Remediations completed	908	784	970	1,060
Responsible Party Cleanup Element:				
Remedial action workplan approvals	126	90	109	120
Remediations monitored	316	469	494	543
Remediations completed	122	12	14	15
Underground Storage Tanks:				
Closure Approvals	4,200	4,225	2,300	2,600
Remedial action workplan approvals	18	89	378	420
Remediations monitored	3,237	3,012	3,315	3,645
Remediations completed	1,418	1,091	1,200	1,320

PERSONNEL DATA

Position Data

Filled Positions by Funding Source

State Supported	645	613	573	595
Federal	39	26	28	28
Total Positions	684	639	601	623

Filled Positions by Program

Publicly-Funded Site Remediation	336	228	208	213
Hazardous Waste Management	10	3	6	5
Responsible Party Site Remediation	338	408	387	405
Total Positions	684	639	601	623

Notes: Actual fiscal years 1993 and 1994 and Revised fiscal year 1995 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1996 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1994					Year Ending June 30, 1996			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1995 Adjusted Approp.	Requested	Recom- mended
Distribution by Program								
13,178	2,751	-466	15,463	12,913	Publicly-Funded Site Remediation	19	12,997	12,997
4,454	985	-1,015	4,424	1,876	Water Quality Management	22	—	—
<u>16,241</u>	<u>8,953</u>	<u>-3,400</u>	<u>21,794</u>	<u>17,593</u>	Responsible Party Site Remediation	27	<u>21,439</u>	<u>21,337</u>
33,873	12,689	-4,881	41,681	32,382	Total Appropriation		34,436^(a)	34,334

ENVIRONMENTAL PROTECTION

Year Ending June 30, 1994					Year Ending June 30, 1996			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1995 Adjusted Approp.	Requested	Recommended
Distribution by Object								
Personal Services:								
7,614	—	2,355	9,969	7,896		7,761	7,761	7,761
—	—	—	—	2,000		—	—	—
7,614	—	2,355	9,969	9,896		7,761	7,761	7,761
266	—	—	266	141		315	315	315
767	—	—	767	734		2,445	2,445	2,445
1,128	—	—	1,128	1,034		491	491	491
Special Purpose:								
—	1,453 ^R	-1,453	—	—	19	—	—	—
5,154	—	—	5,154	3,798	19	5,377	5,377	5,377
1,007	227 ^R	—	1,234	1,234	19	1,511	1,511	1,511
325	113	-42	396	207	19	—	—	—
—	939	-355	584	—	19	—	—	—
4,454	985	-1,015	4,424	1,876	22	—	—	—
—	902 ^R	-902	—	—	27	—	—	—
1,191	254 ^R	—	1,445	1,443	27	—	—	—
5,706	76 4,694 ^R	-2,081	8,395	5,712	27	14,428	14,428	14,428
—	—	—	—	—	27	20	—	—
4,000	409	-1,280	3,129	1,935	27	558	524	524
1,400	1,239 1,136 ^R	-35	3,740	3,633	27	971	923	923
632	20 223 ^R	—	875	730	27	259	259	259
23,869	12,670	-7,163	29,376	20,568		23,124	23,022	23,022
229	19	-73	175	9		300	300	300
OTHER RELATED APPROPRIATIONS								
—	—	113	113	113		350	—	—
—	1,105	—	1,105	—		—	—	—
33,873	13,794	-4,768	42,899	32,495		34,786	34,334	34,334
Federal Funds								
100,000	7,175	—	107,175	7,787	19	100,000	100,000	100,000
340	—	41	381	340	23	360	360	360
7,800	999	359	9,158	2,631	27	7,300	7,300	7,300
108,140	8,174	400	116,714	10,758		107,660	107,660	107,660

ENVIRONMENTAL PROTECTION

Year Ending June 30, 1994					Year Ending June 30, 1996			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1995 Adjusted Approp.	Requested	Recom- mended
—	52	—	52	2	All Other Funds			
—	—	—	—	—	19	—	—	—
—	—	—	—	—	27	—	—	—
—	52	—	52	2	Total All Other Funds			
142,013	22,020	-4,368	159,665	43,255	GRAND TOTAL			
					142,446	141,994	141,994	141,994

- Notes: (a) The 1995 appropriation has been adjusted for the allocation of the salary program and has been reduced to reflect the transfer of funds to the Salary and Other Benefits accounts.
 (b) The fiscal year 1995 appropriations have been distributed to the applicable operating accounts.
 (c) The FY 1995 and FY 1996 appropriations for the Emergency Communication Center represents a reallocation of assessments from other programs.

LANGUAGE PROVISIONS

It is recommended that in addition to site specific charges, the amount hereinabove for the Publicly-Funded Site Remediation and the Responsible Party Site Remediation accounts 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.), together with an amount not to exceed \$3,658,000, 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.

It is further recommended that the amount hereinabove for the Hazardous Waste Bond Administrative Costs account be 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 \$989,000 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.

It is further recommended that the amount hereinabove for the Spill Prevention, Response and Site Cleanup, Non-Site Specific Costs account be appropriated from the New Jersey Spill Compensation Fund, together with receipts in excess of those anticipated, not to exceed \$498,000, subject to the approval of the Director of the Division of Budget and Accounting.

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, appraisers, 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 the Hazardous Discharge Site Cleanup Fund - Responsible Party account be appropriated from responsible party cost recoveries deposited in the "Hazardous Discharge Site Cleanup Fund", together with an amount not to exceed \$8,234,000, 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.

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

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

45. ENVIRONMENTAL REGULATION

OBJECTIVES

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

4. 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.

ENVIRONMENTAL PROTECTION

6. To use available wastewater funds to improve and protect water quality.

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.
08. **Water Pollution Control.** Administers the New Jersey Pollutant Discharge Elimination System (NJPDES) permit program and monitors facilities which discharge industrial waste, sanitary wastewater, non-contact cooling water, decortaminated groundwater, stormwater runoff or other types of treated and untreated wastewater discharged to the surface waters of the State. Management of residuals and the

oversight of local pre-treatment programs are also administered through the NJPDES program. This program also regulates the construction of wastewater treatment facilities and sewer lines.

09. **Public Wastewater Facilities.** Administers the Federal and State construction grant and loan programs, including the evaluation of planning, design and construction of municipal wastewater collection, conveyance, treatment and disposal facilities. Also processes applications for Federal and State grants and loans, and advises municipalities and sewerage authorities on grant and loan specifications and procedures.
15. **Land Use Regulation.** Protects and manages the State's land and water resources through the administration of riparian, waterfront development, stream encroachment, Coastal Area Facility Review Act (CAFRA), coastal wetlands and freshwater wetlands laws and regulations.
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 1993	Actual FY 1994	Revised FY 1995	Budget Estimate FY 1996
PROGRAM DATA				
Air Pollution Control				
Applications reviewed	5,843	5,078	5,460	5,720
Water Pollution Control				
Surface Water Discharge Permits:				
Regulated facilities	1,454	1,550	1,600	1,600
Permit actions	750	624	786	400
Land Use Regulation				
Waterfront Development:				
Applications processed	721	548	600	660
Tidelands grants, leases and licenses processed	810	900	800	750
Tidelands appraisals	1,400	800	800	800
Tidelands inspections (inquiries-search)	663	680	650	700
CAFRA applications processed	40	34	2,040	1,800
Stream Encroachment:				
Applications processed	846	823	780	750
Freshwater Wetlands:				
Applications processed	2,910	2,145	2,200	2,100
Subsurface Disposal Systems:				
Applications processed	90	74	100	100
Stormwater Permits:				
Permitted facilities	848	2,035	2,705	3,265
Construction general permits	1,288	656	140	100
Permit actions	568	1,248	970	680
Hazardous Waste Management				
Waste Management:				
Applications received/approved	11	25	28	25
Hazardous waste manifests-processed	171,606	162,820	175,000	175,000
Waste classifications processed	406	304	300	300

ENVIRONMENTAL PROTECTION

	Actual FY 1993	Actual FY 1994	Revised FY 1995	Budget Estimate FY 1996
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	481	492	485	479
Federal	74	81	74	72
All Other	44	48	48	51
Total Positions	599	621	607	602
Filled Positions by Program				
Air Pollution Control	78	81	84	86
Water Pollution Control	171	194	192	177
Public Waste Water Facilities	32	32	33	32
Land Use Regulation	164	149	141	145
Water Monitoring	23	30	20	18
Hazardous Waste Management	87	87	89	93
Clean Waters	44	48	48	51
Total Positions	599	621	607	602

Notes: Actual fiscal years 1993 and 1994 and Revised fiscal year 1995 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1996 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1994					Year Ending June 30, 1996				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1995 Adjusted Approp.	Requested	Recom- mended	
Distribution by Program									
2,700	9,059	-6,326	5,433	5,239	02	5,818	5,753	5,753	
7,727	4,743	-1,193	11,277	11,270	08	10,215	9,092	9,092	
—	688	—	688	688	09	628	628	628	
4,626	2,002	1,563	8,191	8,186	15	6,347	6,181	6,181	
5,158	3,953	-2,149	6,962	5,269	23	4,551	4,297	4,297	
20,211	20,445	-8,105	32,551	30,652		27,559^(a)	25,951	25,951	
Total Appropriation									
Distribution by Object									
Personal Services:									
	1,186								
5,004	1,273 ^R	9,515	16,978	15,556		17,386	16,005	16,005	
—	—	4,162	4,162	4,808		—	—	—	
5,004	2,459	13,677	21,140	20,364		17,386	16,005	16,005	
166	98	489	753	689		417	417	417	
510	151	4,674	5,335	5,333		4,773	4,546	4,546	
364	37	-113	288	228		193	193	193	
Special Purpose:									
7,727	4,425 ^R	-12,464	6	—	08	—	—	—	
—	688 ^R	—	688	688					
25	—	—	25	24	09	628	628	628	
1,536	522 ^R	-633	1,425	1,424	15	1,808	1,808	1,808	
	519								
724	909 ^R	-2,151	1	—	23	—	—	—	
1,000	1,100 ^R	—	2,100	1,482	23	1,567	1,567	1,567	
225	78	—	303	235					
					23	225	225	225	
2,700	4,198	-11,565	194	—		—	—	—	
13,937	4,861 ^R	-26,813	4,742	3,853		4,253	4,253	4,253	
230	82	-19	293	185		537	537	537	
Total Special Purpose									
Additions, Improvements and Equipment									

ENVIRONMENTAL PROTECTION

Year Ending June 30, 1994					Year Ending June 30, 1996				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	1995 Adjusted Approp.	Requested	Recommended	
OTHER RELATED APPROPRIATIONS									
<u>20,211</u>	<u>7</u>	<u>-8,105</u>	<u>32,558</u>	<u>30,652</u>	<i>Total State Aid</i>	<u>100</u>	<u>—</u>	<u>—</u>	
					<i>Total General Fund</i>	<u>27,659</u>	<u>25,951</u>	<u>25,951</u>	
Federal Funds									
1,260	—	—	1,260	968	Air Pollution Control	02	1,285	1,285	1,285
111,000	2,886	-50	113,836	1,119	Public Wastewater Facilities	09	85,800	86,200	86,200
4,450									
65 ^S	365	-97	4,783	1,967	Land Use Regulation	15	4,991	2,905	2,905
5,775									
19 ^S	2,085	-40	7,839	3,172	Water Monitoring and Planning	16	6,075	6,175	6,175
<u>2,985</u>	<u>1,366</u>	<u>-781</u>	<u>3,570</u>	<u>1,471</u>	Hazardous Waste Management	23	<u>2,385</u>	<u>2,385</u>	<u>2,385</u>
<u>125,554</u>	<u>6,702</u>	<u>-968</u>	<u>131,288</u>	<u>8,697</u>	<i>Total Federal Funds</i>		<u>100,536</u>	<u>98,950</u>	<u>98,950</u>
All Other Funds									
—	113	—	113	40	Water Pollution Control	08	—	—	—
—	51	—	51	—	Public Wastewater Facilities	09	—	—	—
	33								
—	50 ^R	—	83	23	Land Use Regulation	15	—	—	—
	92								
—	500 ^R	—	592	549	Water Monitoring and Planning	16	—	—	—
—	13	—	13	—	Hazardous Waste Management	23	—	—	—
<u>—</u>	<u>7,074^R</u>	<u>—</u>	<u>7,074</u>	<u>2,869</u>	Clean Waters	70	<u>3,400</u>	<u>3,400</u>	<u>3,400</u>
<u>—</u>	<u>7,926</u>	<u>—</u>	<u>7,926</u>	<u>3,481</u>	<i>Total All Other Funds</i>		<u>3,400</u>	<u>3,400</u>	<u>3,400</u>
<u>145,765</u>	<u>35,080</u>	<u>-9,073</u>	<u>171,772</u>	<u>42,830</u>	GRAND TOTAL		<u>131,595</u>	<u>128,301</u>	<u>128,301</u>

Notes: (a) The fiscal year 1995 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Salary and Other Benefits accounts.

LANGUAGE PROVISIONS

It is 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 the amount hereinabove for the Public Waste Water Facilities Bond account be appropriated from funds previously appropriated from the Water Conservation Fund, together with an amount not to exceed \$74,000 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.

It is further recommended that the unexpended balance as of June 30, 1995 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 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 \$492,000, 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 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.

ENVIRONMENTAL PROTECTION

PROGRAM CLASSIFICATIONS

26. **Regulatory and Governmental Affairs.** Coordinates the proposal and adoption of environmental rules and regulations. Serves as central point of contact regarding State and federal legislation. Develops an environmental education and communication strategy for the Department's programs; serves as liaison to the Legislature as well as all county and municipal government officials.
99. **Management and Administrative Services.** The Commissioner's office sets policies and develops short and long range

plans and strategies; coordinates with governmental agencies; and provides legislative review and legal analysis. Provides, under the direction of the Assistant Commissioner of Management and Budget, general support services including personnel, payroll, purchasing, data processing, printing, training, word processing, program evaluation, and property control; and financial management, including budget, accounting, centralized revenue collection and licensing programs, as well as responsibility for the fiscal control and financial monitoring of all general state monies, federal funds, bond funds and tax accounts.

EVALUATION DATA

PROGRAM DATA	Actual FY 1993	Actual FY 1994	Revised FY 1995	Budget Estimate FY 1996
PROGRAM DATA				
Management and Administrative Services				
Male Minority	259	261	284	300
Male Minority %	7	7	7	7
Female Minority	388	393	421	432
Female Minority %	10	10	10	11
Total Minority	647	654	705	732
Total Minority %	16	17	17	18
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	426	429	435	348
Total Positions	426	429	435	348
Filled Positions by Program				
Management and Administrative Services	360	359	368	295
Regulatory and Governmental Affairs	66	70	67	53
Total Positions	426	429	435	348

Notes: Actual fiscal years 1993 and 1994 and Revised fiscal year 1995 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1996 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1994					Year Ending June 30, 1996			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1995 Adjusted Approp.	Requested	Recom- mended
789	7	2,834	3,630	3,548	Distribution by Program			
4,496	238	15,331	20,065	20,057	26	3,098	2,565	2,565
5,285	245	18,165	23,695	23,605	99	18,818	15,639	15,639
Total Appropriation						21,916 ^(a)	18,204	18,204
					Distribution by Object			
					Personal Services:			
4,279	—	14,181	18,460	18,394	Salaries and Wages			
4,279	—	14,181	18,460	18,394	Total Personal Services			
—	—	1,197	1,197	1,196	Materials and Supplies			
882	—	1,457	2,339	2,321	Services Other Than Personal			
1	11	460	472	471	Maintenance and Fixed Charges			

ENVIRONMENTAL PROTECTION

Year Ending June 30, 1994					Year Ending June 30, 1996				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	1995 Adjusted Approp.	Requested	Recommended	
98	1	-98	1	—	Special Purpose: Affirmative Action and Equal Employment Opportunity	99	98	98	98
25	—	—	25	23	Environmental Education Program	99	—	—	—
—	176	-176	—	—	Asbestos Screening Program	99	—	—	—
123	177	-274	26	23	Total Special Purpose	—	98	98	98
—	57	1,144	1,201	1,200	Additions, Improvements and Equipment	—	420	420	420
OTHER RELATED APPROPRIATIONS									
3,732	360	191	4,283	3,938	Total State Aid	—	3,892	4,192	4,192
527	—	—	527	—	Total Capital Construction	—	2,465	—	—
1,378	—	1	1,379	1,379	Total Debt Service	—	1,342	112,444	112,444
10,922	605	18,357	29,884	28,922	Total General Fund	—	29,615	134,840	134,840
Federal Funds									
214	—	—	214	—	Regulatory and Governmental Affairs	26	—	11	11
—	—	—	—	—	—	—	900	—	—
250	34	51	335	331	Management and Administrative Services	99	215 ^S	975	975
464	34	51	549	331	Total Federal Funds	—	1,115	986	986
All Other Funds									
—	1,304	—	—	—	Management and Administrative Services	99	—	—	—
—	133 ^R	619	2,056	1,167	—	—	404	308	308
—	1,437	619	2,056	1,167	Total All Other Funds	—	404	308	308
11,386	2,076	19,027	32,489	30,420	GRAND TOTAL	—	31,134	136,134	136,134

Notes: (a) The fiscal year 1995 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Salary and Other Benefits accounts.

LANGUAGE PROVISIONS

It is recommended that receipts received pursuant to N.J.S.A. 12:8-4, and the unexpended balances in the Board of New Jersey Pilot Commissioners account as of June 30, 1995 be appropriated.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

47. ENFORCEMENT POLICY

OBJECTIVES

- 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.
- To assure consistency in enforcement policies, protocols and actions taken by the Department.
- To implement the Clean Water Enforcement Act effectively and fairly, and to ensure its consistency with the Department's overall enforcement philosophy.
- 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.
- 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.
- 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.

ENVIRONMENTAL PROTECTION

PROGRAM CLASSIFICATIONS

- 02. Air Pollution Control.** Conducts investigations to determine compliance with the Air Pollution Control Act at regulated facilities. Issues enforcement documents and tracks, records and reports on associated administrative activities to ensure compliance. Also issues enforcement documents for Noise, Toxic Catastrophe Prevention Act, Right to Know, Radiation Protection, Laboratory Quality Assurance, Pesticide Control and Discharge Prevention Containment and Countermeasures. Develops enforcement cases, processes violations, assesses penalties and negotiates compliance schedules for these programs.
- 08. Water Pollution Control.** Responsible for compliance, monitoring, investigations and enforcement actions in support of the water programs, focusing particularly on inspections of wastewater dischargers and community water supply facilities, correction of situations of non-compliance through administrative and enforcement actions, and investigation of complaints relating to water resources. Monitors compliance with all permits issued under the New Jersey Pollutant Discharge Elimination System (NJPDDES) for surface water, ground water landfill and indirect discharges to Publicly-Owned Treatment Works (POTWs).
- 15. Land Use Regulation.** Conducts investigations and site inspections required to ensure compliance with state

regulations and permits issued pursuant to the Freshwater Wetlands Protection Act, the Flood Hazard Area Control Act, the Coastal Area Development Review Act, the Wetlands Act of 1970, the Dam Safety Act, and the Waterfront Development and Riparian Lands statutes. Responding to reports of alleged violations of the above statutes, the Bureau develops land use enforcement cases, issues Notices of Violations and Administrative Orders, assesses penalties, and resolves cases through negotiation or through legal action in the Office of Administrative Law and Superior Court.

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

EVALUATION DATA

PROGRAM DATA	Actual FY 1993	Actual FY 1994	Revised FY 1995	Budget Estimate FY 1996
Air Pollution Control				
Investigations and inspections	12,826	9,780	10,280	10,000
Enforcement Actions:				
Administrative orders and notices of violations	1,462	1,192	1,150	1,150
Enforcement conferences	92	91	72	72
Water Pollution Control				
Complaints investigated	1,059	1,643	1,400	1,250
Enforcement actions issued	2,246	2,295	1,200	1,000
Penalties assessed (millions)	\$23	\$11	\$8	\$8
Penalties collected (millions)	\$19	\$12	\$6	\$6
Coastal monitoring stations evaluated	5,832	5,700	6,000	6,000
Administrative consent orders	44	50	20	15
Surface Water Discharge Permits:				
Compliance inspections	3,495	3,600	1,800	1,800
Operation Clean Shore:				
Miles of beaches cleaned	80	72	56	56
Tons of debris removed	5,853	4,062	2,000	2,000
Land Use Regulation				
Investigations and inspections	3,200	2,894	2,580	2,600
Notice of violations	794	821	675	700
Notices of civil administrative penalty assessment	58	54	12	16
Penalty settlement offers	13	7	7	7
Solid Waste Resource Management				
Annual inspections:				
Solid Waste facilities	2,390	1,904	2,200	2,680
Medical Waste generating facilities	2,808	3,003	2,700	2,865
Hauler companies	5,369	3,518	3,600	3,700
Hauler vehicles	47,158	50,676	50,800	51,000

ENVIRONMENTAL PROTECTION

	Actual FY 1993	Actual FY 1994	Revised FY 1995	Budget Estimate FY 1996
Hazardous Waste Management				
Administrative orders and notices of violations	595	745	625	575
Hazardous Waste transporter registrations	9,259	8,319	8,500	8,500
Annual Inspections	2,599	2,709	2,600	2,500
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	304	319	300	301
Federal	21	19	13	18
All Other	12	6	5	7
Total Positions	337	344	318	326
Filled Positions by Program				
Air Pollution Control	77	92	87	89
Solid Waste	54	56	50	49
Water Pollution Control	127	127	119	123
Land Use Regulation	37	28	23	27
Hazardous Waste Management	42	41	39	38
Total Positions	337	344	318	326

Notes: Actual fiscal years 1993 and 1994 and Revised fiscal year 1995 position data reflect actual payroll counts. The Budget Estimate for fiscal year 1996 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 1994					Year Ending June 30, 1995				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1995 Adjusted Approp.	Requested	Recom- mended	
Distribution by Program									
1,100	48	2,664	3,812	3,789	02	2,503	2,264	2,264	
2,819	18,494	-5,596	15,717	8,846	08	7,190	6,944	6,944	
1,176	—	-96	1,080	1,080	15	1,224	1,191	1,191	
—	—	2,925	2,925	2,925	17	2,483	2,443	2,443	
<u>1,222</u>	<u>978</u>	<u>265</u>	<u>2,465</u>	<u>2,093</u>	23	<u>1,409</u>	<u>1,220</u>	<u>1,220</u>	
6,317	19,520	162	25,999	18,733		14,809^(a)	14,062	14,062	
Distribution by Object									
Personal Services:									
1,494	129	10,435	12,058	8,913		10,153	9,614	9,614	
—	—	—	—	2,852		—	—	—	
<u>1,494</u>	<u>129</u>	<u>10,435</u>	<u>12,058</u>	<u>11,765</u>		<u>10,153</u>	<u>9,614</u>	<u>9,614</u>	
13	1	176	190	176		253	253	253	
43	15	4,366	4,424	4,366		2,947	2,739	2,739	
6	1	481	488	481		548	548	548	
Special Purpose:									
2,819	9,264 ^R	-14,445	6,868	—	08	—	—	—	
—	—	168	168	165		—	—	—	
842	—	-96	746	746	15	673	673	673	
—	832 ^R	-344	488	488	23	—	—	—	
<u>1,100</u>	<u>48</u>	<u>-1,125</u>	<u>23</u>	<u>—</u>		<u>—</u>	<u>—</u>	<u>—</u>	
4,761	19,374	-15,842	8,293	1,399		673	673	673	
—	—	546	546	546		235	235	235	
Additions, Improvements and Equipment									

ENVIRONMENTAL PROTECTION

Year Ending June 30, 1994					Year Ending June 30, 1995			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	1995 Adjusted Approp.	Requested	Recom- mended
OTHER RELATED APPROPRIATIONS								
<u>1,000</u>	<u>43</u>	<u>2,507</u>	<u>3,550</u>	<u>3,040</u>	<i>Total State Aid</i>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>
7,317	19,563	2,669	29,549	21,773	<i>Total General Fund</i>	15,809	15,062	15,062
Federal Funds								
3,500	—	—	3,500	2,110	Air Pollution Control	02	3,110	3,280
—	—	—	—	—	Water Pollution Control	08	—	—
400	13	98	511	435	Land Use Regulation	15	444	518
<u>1,866</u>	<u>—</u>	<u>382</u>	<u>2,248</u>	<u>1,565</u>	Hazardous Waste Management	23	<u>1,866</u>	<u>1,866</u>
5,766	13	480	6,259	4,110	<i>Total Federal Funds</i>	5,420	5,664	5,664
All Other Funds								
—	1,807	—	1,807	—	Water Pollution Control	08	850	850
—	863 ^R	-4	2,666	987	Land Use Regulation	15	<u>41</u>	<u>55</u>
—	<u>2,670</u>	<u>-4</u>	<u>2,666</u>	<u>987</u>	<i>Total All Other Funds</i>	<u>891</u>	<u>905</u>	<u>905</u>
<u>13,083</u>	<u>22,246</u>	<u>3,145</u>	<u>38,474</u>	<u>26,870</u>	GRAND TOTAL	22,120	21,631	21,631

Notes: (a) The fiscal year 1995 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Salary and Other Benefits accounts.

LANGUAGE PROVISIONS

It is 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, in 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 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 an amount not to exceed \$150,000 for a program of grants for the construction of sewage pump-out 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.

144,281	103,073	-7,077	240,277	200,429	Total Appropriation, Department of Environmental Protection	193,495	182,028	182,028
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It is recommended that the amounts hereinabove for the Tidelands Peak Demands account be appropriated from receipts derived from the sales, grants, leases, licensing, and rentals of State riparian lands, together with an amount not to exceed \$1,026,000, 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.

It is further recommended that 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.

It is further recommended that notwithstanding the provisions of the "Environmental Fee Fund Accountability Act of 1991", P.L. 1991, c.426 and P.L. 1991, c.427, all revenues from fees and fines collected by DEP, unless otherwise dedicated herein, be deposited into the General State Fund without regard to their specific dedication.