

[First Reprint]

SENATE, No. 2003

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED MAY 27, 2010

Sponsored by:

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Morris and Somerset)

Senator JIM WHELAN

District 2 (Atlantic)

Co-Sponsored by:

Senator Beach

SYNOPSIS

Appropriates funds to DEP for environmental infrastructure projects.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 21, 2010, with amendments.



1 AN ACT appropriating moneys to the Department of Environmental
2 Protection for the purpose of making grants, zero interest loans,
3 or principal forgiveness loans to project sponsors to finance a
4 portion of the costs of environmental infrastructure projects.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 1. a. (1) There is appropriated to the Department of
10 Environmental Protection from the "Clean Water State Revolving
11 Fund" established pursuant to section 1 of P.L.2009, c.77, an
12 amount equal to the federal fiscal year 2010 capitalization grant
13 made available to the State for clean water project loans pursuant to
14 the "Water Quality Act of 1987" (33 U.S.C.s.1251 et seq.), and any
15 amendatory and supplementary acts thereto (hereinafter referred to
16 as the "Federal Clean Water Act").

17 (2) There is appropriated to the Department of Environmental
18 Protection from the "Interim Financing Program Fund" created and
19 established by the New Jersey Environmental Infrastructure Trust
20 pursuant to subsection d. of section 9 of P.L.1985, c.334 (C.58:11B-
21 9) such amounts as may be necessary to supplement the sums
22 appropriated from the Clean Water State Revolving Fund for the
23 purposes of clean water project loans and providing the State match
24 as required or will be required for the award of the capitalization
25 grants made available to the State for clean water projects pursuant
26 to the Federal Clean Water Act.

27 (3) There is appropriated to the Department of Environmental
28 Protection from the Drinking Water State Revolving Fund
29 established pursuant to section 1 of P.L.1998, c.84 an amount equal
30 to the Federal fiscal year 2010 capitalization grant made available
31 to the State for drinking water projects pursuant to the "Safe
32 Drinking Water Act Amendments of 1996" Pub.L.104-182, and any
33 amendatory and supplementary acts thereto (hereinafter referred to
34 as the "Federal Safe Drinking Water Act").

35 The Department of Environmental Protection is authorized to
36 transfer from the Clean Water State Revolving Fund to the Drinking
37 Water State Revolving Fund an amount up to the maximum amount
38 authorized to be transferred pursuant to the Federal Safe Drinking
39 Water Act to meet present and future needs for the financing of
40 eligible drinking water projects, and an amount equal to said
41 maximum amount is hereby appropriated to the department for
42 those purposes.

43 The Department of Environmental Protection is authorized to
44 transfer from the Drinking Water State Revolving Fund to the Clean
45 Water State Revolving Fund an amount up to the maximum amount

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted June 21, 2010.

1 authorized to be transferred pursuant to the Federal Clean Water
2 Act to meet present and future needs for the financing of eligible
3 clean water projects, and an amount equal to said maximum amount
4 is hereby appropriated to the department for those purposes.

5 (4) There is appropriated to the Department of Environmental
6 Protection the unappropriated balances from the "Clean Water State
7 Revolving Fund" and any repayments of loans and interest
8 therefrom, for the purposes of clean water project loans and
9 providing the State match as available on or before June 30, 2011,
10 as required or will be required for the award of the capitalization
11 grants made available to the State for clean water projects pursuant
12 to the Federal Clean Water Act.

13 (5) There is appropriated to the Department of Environmental
14 Protection the unappropriated balances from the "Wastewater
15 Treatment Fund" established pursuant to section 15 of the
16 "Wastewater Treatment Bond Act of 1985," (P.L.1985, c.329) and
17 any repayments of loans and interest therefrom, as available on or
18 before June 30, 2011, for the purposes of clean water project loans
19 and providing the State match as required or will be required for the
20 award of the capitalization grants made available to the State for
21 clean water projects pursuant to the Federal Clean Water Act.

22 (6) There is appropriated to the Department of Environmental
23 Protection the unappropriated balances from the "1992 Wastewater
24 Treatment Fund" established pursuant to section 27 of the "Green
25 Acres, Clean Water, Farmland and Historic Preservation Bond Act
26 of 1992," (P.L.1992, c.88) and any repayments of loans and interest
27 therefrom, as available on or before June 30, 2011, for the purposes
28 of clean water project loans and providing the State match as
29 required or will be required for the award of the capitalization
30 grants made available to the State for clean water projects pursuant
31 to the Federal Clean Water Act.

32 (7) There is appropriated to the Department of Environmental
33 Protection the unappropriated balances from the "2003 Water
34 Resources and Wastewater Treatment Fund" established pursuant to
35 subsection a. of section 19 of the "Dam, Lake, Stream, Flood
36 Control, Water Resources, and Wastewater Treatment Project Bond
37 Act of 2003," (P.L.2003, c.162) and any repayments of loans and
38 interest therefrom, as available on or before June 30, 2011, for the
39 purposes of clean water project loans and providing the State match
40 as required or will be required for the award of the capitalization
41 grants made available to the State for clean water projects pursuant
42 to the Federal Clean Water Act.

43 (8) There is appropriated to the Department of Environmental
44 Protection the unappropriated balances from the "Wastewater
45 Treatment Fund" established pursuant to section 15 of the
46 "Wastewater Treatment Bond Act of 1985," P.L.185 c.329 the sum
47 of \$1,247,269 resulting from the cancellation of the following
48 appropriations made pursuant to P.L.2008 c.115;

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1	Hackensack City	\$665,140
2	Hudson County	\$133,028
3	Perth Amboy City	\$399,083
4	Wall Township	\$33,257
5	Ocean County	\$16,761
6		

7 (9) There is appropriated to the Department of Environmental
8 Protection the unappropriated balances from the Drinking Water
9 State Revolving Fund for the purposes of drinking water project
10 loans and any repayments of loans and interest therefrom, as
11 available on or before June 30, 2011.

12 (10) There is appropriated to the Department of Environmental
13 Protection the sum of \$11 million from loan repayments and interest
14 earnings from the "Water Supply Fund" to the "Drinking Water
15 State Revolving Fund (DWSRF) Match Accounts" contained within
16 such fund for the purpose of providing the State match as required
17 or will be required for the award of the capitalization grants made
18 available to the State for drinking water projects pursuant to the
19 Federal Safe Drinking Water Act.

20 (11) There is appropriated to the Department of Environmental
21 Protection from the "Interim Financing Program Fund" created and
22 established by the New Jersey Environmental Infrastructure Trust
23 pursuant to subsection d. of section 9 of P.L.1985, c.334 (C.58:11B-
24 9) such amounts as available on or before June 30, 2011, and any
25 repayments of loans and interest therefrom, as may be necessary to
26 supplement the sums appropriated from the Drinking Water State
27 Revolving Fund for the purposes of drinking water project loans
28 and providing the State match as required or will be required for the
29 award of the capitalization grants made available to the State for
30 clean water projects pursuant to the Federal Safe Drinking Water
31 Act.

32 (12) There is appropriated to the Department of Environmental
33 Protection such sums as available on or before June 30, 2011, as
34 repayments of drinking water project loans and any interest
35 therefrom from the "Water Supply Fund" established pursuant to
36 section 14 of the "Water Supply Bond Act of 1981" (P.L.1981,
37 c.261) for the purposes of drinking water project loans and
38 providing the State match as required or will be required for the
39 award of the capitalization grants made available to the State for
40 drinking water projects pursuant to the Federal Safe Drinking Water
41 Act.

42 (13) Of the sums appropriated to the Department of
43 Environmental Protection from the "Water Supply Fund" pursuant
44 to P.L.1999, c.174, P.L.2001, c.222, P.L.2002, c.70 and P.L.2003,
45 c.158, the department is authorized to transfer any unexpended
46 balances and any repayments of loans and interest therefrom as
47 available on or before June 30, 2011, in such amounts as needed to
48 the Drinking Water State Revolving Fund accounts contained
49 within the Water Supply Fund established for the purposes of

1 providing drinking water project loans and providing the State
2 match as required or will be required for the award of the
3 capitalization grants made available to the State for drinking water
4 projects pursuant to the Federal Safe Drinking Water Act.

5 (14) Of the sums appropriated to the Department of
6 Environmental Protection from the "1992 Wastewater Treatment
7 Fund" pursuant to P.L.1996, c.85, P.L.1997, c.221, P.L.1998, c.84,
8 P.L.1999, c.174, P.L.2000, c.92, P.L.2001, c.222 and P.L.2002,
9 c.70, the department is authorized to transfer any unexpended
10 balances and any repayments of loans and interest therefrom, as
11 available on or before June 30, 2011, in such amounts as needed to
12 the Clean Water State Revolving Fund accounts contained within
13 the 1992 Wastewater Treatment Fund for the purposes of providing
14 clean water project loans and providing the State match as required
15 or will be required for the award of the capitalization grants made
16 available to the State for clean water projects pursuant to the
17 Federal Clean Water Act.

18 (15) Of the sums appropriated to the Department of
19 Environmental Protection from the "2003 Water Resources and
20 Wastewater Treatment Fund" pursuant to P.L.2004, c.109, and
21 P.L.2007, c.139, the department is authorized to transfer any
22 unexpended balances and any repayments of loans and interest
23 therefrom as available on or before June 30, 2011, in such amounts
24 as needed to the Clean Water State Revolving Fund accounts
25 contained within the 2003 Water Resources and Wastewater
26 Treatment Fund for the purposes of providing clean water project
27 loans and providing the State match as required or will be required
28 for the award of the capitalization grants made available to the State
29 for clean water projects pursuant to the Federal Clean Water Act.

30 (16) There is appropriated to the Department of Environmental
31 Protection the sums deposited by the New Jersey Environmental
32 Infrastructure Trust into the "Clean Water State Revolving Fund,"
33 the "Wastewater Treatment Fund," the "1992 Wastewater Treatment
34 Fund," the "Water Supply Fund," the "Stormwater Management and
35 Combined Sewer Overflow Abatement Fund," the "2003 Water
36 Resources and Wastewater Treatment Fund" and the Drinking
37 Water State Revolving Fund, as appropriate, pursuant to paragraph
38 (6) of subsection c. of section 1 of P.L. , c. (pending before the
39 Legislature as Senate Bill No. 2002 of 2010 and Assembly Bill
40 No. of 2010), as available on or before June 30, 2011, for the
41 purposes of providing clean water project loans and drinking water
42 project loans and providing the State match as required or will be
43 required for the award of the capitalization grants made available to
44 the State for clean water projects pursuant to the Federal Clean
45 Water Act and drinking water projects pursuant to the Federal Safe
46 Drinking Water Act.

1 Any such amounts shall be for the purpose of making zero
2 interest financing loans to the extent sufficient funds are available,
3 to or on behalf of local government units or public water utilities
4 (hereinafter referred to as "project sponsors") to finance a portion of
5 the cost of construction of clean water projects and drinking water
6 projects listed in sections 2 and 3 of this act, and for the purpose of
7 implementing and administering the provisions of this act, to the
8 extent permitted by the American Recovery and Reinvestment Act
9 of 2009 (Public Law 111-5), the Federal Clean Water Act, and any
10 amendatory and supplementary acts thereto, the "Clean Water State
11 Revolving Fund Act" (P.L.2009, c77), the "Wastewater Treatment
12 Bond Act of 1985" (P.L.1985, c.329), the "Water Supply Bond Act
13 of 1981," (P.L.1981, c.261), the "Stormwater Management and
14 Combined Sewer Overflow Abatement Bond Act of 1989"
15 (P.L.1989, c.181), the "Green Acres, Clean Water, Farmland and
16 Historic Preservation Bond Act of 1992," (P.L.1992, c.88), the
17 "Dam, Lake, Stream, Flood Control, Water Resources, and
18 Wastewater Treatment Project Bond Act of 2003," (P.L.2003,
19 c.162), the Federal Safe Drinking Water Act, and any amendatory
20 and supplementary acts thereto, and State law.

21 b. The department is authorized to make zero interest and
22 principal forgiveness financing loans to or on behalf of the project
23 sponsors for the environmental infrastructure projects listed in
24 subsection a. of section 2 and subsection a. of section 3 of this act
25 for clean water projects, up to the individual amounts indicated and
26 in the priority stated, provided: (1) a minimum of 20 percent of the
27 2010 Clean Water State Revolving Fund capitalization grant shall
28 be issued to projects in subsection a. of section 3 of this act
29 addressing green infrastructure, water or energy efficiency
30 improvements, or other environmentally innovative activities
31 allocated to projects in the priority stated, to the extent there are
32 sufficient eligible project applications; and (2) principal forgiveness
33 shall constitute 30 percent of the amount of the 2010 Clean Water
34 State Revolving Fund capitalization grant, wherein principal
35 forgiveness shall not exceed the lesser of 25 percent or \$2.5 million
36 of the combined trust loan amount and fund loan amount per project
37 sponsor and allocated to projects in subsection a. of section 3 of this
38 act in the priority stated, and except as any such amount may be
39 reduced by the Commissioner of Environmental Protection pursuant
40 to section 6 of this act, or if a project fails to meet the requirements
41 of section 4 or section 5 of this act.

42 c. The department is authorized to make zero interest and
43 principal forgiveness financing loans to or on behalf of the project
44 sponsors for the environmental infrastructure projects listed in
45 subsection b. of section 2 and subsection b. of section 3 of this act
46 for drinking water projects, up to the individual amounts indicated
47 and in the priority stated, provided: (1) a minimum of 20 percent of
48 the 2010 Drinking Water State Revolving Fund capitalization grant

1 shall be issued to projects in subsection b. of section 3 of this act
2 addressing green infrastructure, water or energy efficiency
3 improvements, or other environmentally innovative activities
4 allocated to projects in the priority stated, to the extent there are
5 sufficient eligible project applications; and (2) principal forgiveness
6 shall constitute 30 percent of the amount of the 2010 Drinking
7 Water State Revolving Fund capitalization grant, wherein principal
8 forgiveness to other than drinking water systems servicing fewer
9 than 500 residents shall not exceed the lesser of 25 percent or \$2.5
10 million of the combined trust loan amount and fund loan amount
11 per project sponsor and allocated to projects in subsection b. of
12 section 3 of this act in the priority stated or wherein principal
13 forgiveness to drinking water systems servicing fewer than 500
14 residents shall not exceed the lesser of 50 percent or \$2.5 million of
15 the combined trust loan amount and fund loan amount per project
16 sponsor and allocated to projects in subsection b. of section 3 of this
17 act in the priority stated, and except as any such amount may be
18 reduced by the Commissioner of Environmental Protection pursuant
19 to section 6 of this act, or if a project fails to meet the requirements
20 of section 4 or section 5 of this act.

21 d. The department is authorized to make zero interest and
22 principal forgiveness financing loans to or on behalf of the project
23 sponsors for the environmental infrastructure projects listed in
24 sections 2 and 3 of this act under the same terms, conditions and
25 requirements as set forth in this section from any unexpended
26 balances of the amounts appropriated pursuant to section 1 of
27 P.L.1987, c.200, section 2 of P.L.1988, c.133, section 1 of
28 P.L.1989, c.189, section 1 of P.L.1990, c.99, section 1 of P.L.1991,
29 c.325, section 1 of P.L.1992, c.38, section 1 of P.L.1993, c.193,
30 section 1 of P.L.1994, c.106, section 1 of P.L.1995, c.219, section 1
31 of P.L.1996, c.85, section 1 of P.L.1997, c.221, section 2 of
32 P.L.1998, c.84, section 2 of P.L.1999, c.174, section 2 of P.L.2000,
33 c.92, sections 1 and 2 of P.L.2001, c.222, sections 1 and 2 of
34 P.L.2002, c.70, sections 1 and 2 of P.L.2003, c.158, sections 1 and
35 2 of P.L.2004, c.109, sections 1 and 2 of P.L.2005, c.196, sections 1
36 and 2 of P.L.2006, c.68, sections 1 and 2 of P.L.2007, c.139,
37 sections 1 and 2 of P.L.2008, c.68, and sections 1 and 2 of
38 P.L.2009, c.102, including amounts resulting from the low bid and
39 final building cost reductions authorized pursuant to section 6 of
40 P.L.1987, c.200, section 7 of P.L.1988, c.133, section 6 of
41 P.L.1989, c.189, section 6 of P.L.1990, c.99, section 6 of P.L.1991,
42 c.325, section 6 of P.L.1992, c.38, section 6 of P.L.1993, c.193,
43 section 6 of P.L.1994, c.106, section 6 of P.L.1995, c.219, section 6
44 of P.L.1996, c.85, section 6 of P.L.1997, c.221, section 7 of
45 P.L.1998, c.84, section 6 of P.L.1999, c.174, section 6 of P.L.2000,
46 c.92, section 6 of P.L.2001, c.222, section 6 of P.L.2002, c.70,
47 section 6 of P.L.2003, c.158, section 6 of P.L.2004, c.109, section 6

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1 of P.L.2005, c.196, section 6 of P.L.2006, c.68, section 6 of
 2 P.L.2007, c.139, section 6 of P.L.2008, c.68, and section 7 of
 3 P.L.2009, c.102, and from any repayments of loans and interest
 4 from the "Clean Water State Revolving Fund," the "Wastewater
 5 Treatment Fund," the "Water Supply Fund," the "1992 Wastewater
 6 Treatment Fund," the "2003 Water Resources and Wastewater
 7 Treatment Fund," and amounts deposited therein during State fiscal
 8 year 2010 and State fiscal year 2011 pursuant to the provisions of
 9 section 16 of P.L.1985, c.329, and section 2 of P.L.2010, c.77,
 10 including any Clean Water State Revolving Fund Accounts
 11 contained within the "Wastewater Treatment Fund," and from any
 12 repayment of loans and interest from the Drinking Water State
 13 Revolving Fund.

14 e. The department is authorized to make a grant pursuant to
 15 subsection a. of section 6 of the "Wastewater Treatment Bond Act
 16 of 1985," P.L.1985, c.329 to the Borough of Madison, Project No.
 17 S340715-04B-1 in an amount not to exceed \$200,000.

18
 19 2. a. (1) The department is authorized to expend funds for the
 20 purpose of making supplemental zero interest loans to or on behalf
 21 of the project sponsors listed below for the following clean water
 22 environmental infrastructure projects:

23

Project Sponsor	Project Number	Estimated Total Allowable Loan Amount	Estimated Allowable DEP Loan Amount
Bergen County UA	S340386-07-1	\$525,000	\$262,500
Camden County MUA	S340640-06,09,11-1	\$20,160,000	\$10,080,000
Haledon Borough	S340173-01-1	\$315,000	\$157,500
Hamilton Township	S340898-03-1	\$525,000	\$262,500
Jersey City MUA	S340928-02-1	\$3,885,000	\$1,942,500
Madison Borough	S340715-04B-1	\$420,000	\$210,000
Medford Township	S340346-05-1	\$3,780,000	\$1,890,000
Montgomery Township	S340130-02-1	\$10,815,000	\$5,407,500
New Brunswick City	S340437-11-1	\$1,890,000	\$945,000
Pequannock Lincoln Park and Fairfield SA	S340880-03-1	\$2,835,000	\$1,417,500

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Wanaque Valley RSA	S340780-03-1	\$4,830,000	\$2,415,000
West Milford Township MUA	S340701-09-1	\$1,050,000	\$525,000
Total:		\$51,030,000	\$25,515,000

2

3 (2) The loans authorized in this subsection shall be made for the
 4 difference between the allowable loan amounts required by these
 5 projects based upon final building costs pursuant to section 6 of this
 6 act and the loan amounts certified by the Commissioner of
 7 Environmental Protection in State fiscal years 2002, 2004, 2008,
 8 2009, and 2010 and for increased allowable costs as defined and
 9 determined in accordance with the rules and regulations adopted by
 10 the department pursuant to section 4 of P.L.1985, c.329. The loans
 11 authorized in this subsection shall be made to or on behalf of the
 12 project sponsors listed, up to the individual amounts indicated and
 13 in the priority stated, to the extent sufficient funds are available,
 14 except as a project fails to meet the requirements of section 4 or
 15 section 5 of this act.

16 (3) The zero interest loans for the projects authorized in this
 17 subsection shall have priority over projects listed in subsection a. of
 18 section 3 of this act.

19 b. (1) The department is authorized to expend funds for the
 20 purpose of making supplemental loans to or on behalf of the project
 21 sponsors listed below for the following drinking water
 22 environmental infrastructure projects:
 23

Project Sponsor	Project Number	Estimated Total Allowable Loan Amount	Estimated Allowable DEP Loan Amount
Perth Amboy City	1216001-004-1	\$2,730,000	\$1,365,000
Sea Girt Borough	1344001-001,002-1	\$7,770,000	\$3,885,000
Total:		\$10,500,000	\$5,250,000

24

25 (2) The loans authorized in this subsection shall be made for the
 26 difference between the allowable loan amounts required by these
 27 projects based upon final building costs pursuant to section 6 of this
 28 act and the loan amounts certified by the Commissioner of
 29 Environmental Protection in State fiscal years 2007 and 2008, and
 30 for increased allowable costs as defined and determined in
 31 accordance with the rules and regulations adopted by the
 32 department pursuant to section 5 of P.L.1981, c.261. The loans
 33 authorized in this subsection shall be made to or on behalf of the
 34 project sponsors listed, up to the individual amounts indicated and
 35 in the priority stated, to the extent sufficient funds are available,

1 except as a project fails to meet the requirements of section 4 or
2 section 5 of this act.

3 (3) The zero interest loans for the projects authorized in this
4 subsection shall have priority over the environmental infrastructure
5 projects listed in subsection b. of section 3 of this act.

6 c. The Department of Environmental Protection is authorized
7 to adjust the allowable DEP loan amount for projects authorized in
8 this section to between 25% and 75% of the total allowable loan
9 amount.

10

11 3. a. The following environmental infrastructure projects shall
12 be known and may be cited as the "State Fiscal Year 2011 Clean
13 Water Project Priority List."

14 (1) Of those projects, the following are eligible for a
15 combination of principal forgiveness and zero-interest loans from
16 the department:

17

Project Sponsor	Project Number	Estimated Total Allowable Loan Amount	Estimated Allowable DEP Loan Amount
Musconetcong SA	S340384-07	\$1,260,000	\$630,000
Ewing Lawrence SA	S340391-08	\$9,660,000	\$4,830,000
Newark City	S340815-20	\$19,320,000	\$9,660,000
Cape May County MUA	S340661-10	\$525,000	\$262,500
Cape May County MUA	S340661-14	\$420,000	\$210,000
North Hudson SA	S340952-14	\$1,260,000	\$630,000
North Hudson SA	S340952-15	\$1,260,000	\$630,000
North Hudson SA	S340952-16	\$3,780,000	\$1,890,000
Passaic Valley SA	S340689-18	\$22,050,000	\$11,025,000
Pompton Lakes '[Bor.] Borough' MUA '[.]'	S340636-07	\$1,050,000	\$525,000
Phillipsburg Town	S340874-05	\$1,785,000	\$892,500
Bergen County UA	S340386-09	\$35,175,000	\$17,587,500
Stony Brook Regional SA	S340400-06	'[\$10,395,000] \$13,395,000'	'[\$5,197,500] \$6,697,500'
Allamuchy Township	S340256-02	\$3,780,000	\$1,890,000
Hackensack City	S340923-11	\$2,310,000	\$1,155,000
Trenton City	S340416-11	\$2,520,000	\$1,260,000

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Medford Township	S340346-07	\$3,780,000	\$1,890,000
Bergen County UA	S340386-10	\$6,405,000	\$3,202,500
Bergen County UA	S340386-11	\$9,030,000	\$4,515,000
Maple Shade Township	S340710-05	\$1,365,000	\$682,500
Camden County MUA	S340640-10	\$52,605,000	\$26,302,500
Total:		['\$189,735,000'] \$192,735,000 ¹	['\$94,867,500'] \$96,367,500 ¹

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3 (2) Of those projects, the following are eligible for zero-interest
4 loans from the department:

Project Sponsor	Project Number	Estimated Total Allowable Loan Amount	Estimated Allowable DEP Loan Amount
Atlantic County UA	S340809-21	\$8,715,000	\$4,357,500
Kearny MUA	S340259-07	\$2,940,000	\$1,470,000
Cranford Township	S340858-01	\$1,050,000	\$525,000
Middlesex County UA	S340699-09	\$11,865,000	\$5,932,500
Ocean County UA	S340372-43	\$6,615,000	\$3,307,500
Ocean County UA	S340372-44	\$4,305,000	\$2,152,500
Atlantic County UA	S340809-10	\$1,890,000	\$945,000
Cumberland County UA	S340550-05	\$1,890,000	\$945,000
Cape May County MUA	S340661-11	\$420,000	\$210,000
Cape May County MUA	S340661-12	\$8,390,000	\$4,195,000
Hamilton Township	S340898-04	\$3,045,000	\$1,522,500
Hamilton Township	S340898-05	\$2,100,000	\$1,050,000
Old Bridge MUA	S340945-09	\$3,675,000	\$1,837,500
Montclair Township	S340837-02	\$4,620,000	\$2,310,000
Galloway Township	S340892-05	\$735,000	\$367,500
Galloway Township	S340892-06	\$840,000	\$420,000
Galloway Township	S340892-08	\$525,000	\$262,500
Carteret Borough	S340939-06	\$5,250,000	\$2,625,000
Musconetcong SA	S340384-08	\$1,575,000	\$787,500
Lyndhurst Township	S340426-08	\$5,985,000	\$2,992,500
New Milford Borough	S340177-01	\$1,365,000	\$682,500
Ventnor City	S340241-01	\$1,155,000	\$577,500
Brigantine City	S340827-03	\$5,775,000	\$2,887,500
Somers Point City	S340618-01	\$3,150,000	\$1,575,000
Waldwick Borough	S340195-01	\$315,000	\$157,500
Maywood Borough	S340226-01	\$1,785,000	\$892,500
Oradell Borough	S340835-02	\$840,000	\$420,000
Glen Ridge Borough	S340861-01	\$420,000	\$210,000
Edgewater Park SA	S340108-02	\$4,725,000	\$2,362,500
Edgewater Borough	S340446-12	\$630,000	\$315,000

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Barrington Borough	S340305-02	\$1,470,000	\$735,000
Midland Park Borough	S340227-01	\$735,000	\$367,500
Ocean Township	S340750-09	\$420,000	\$210,000
Lopatcong Borough	S340264-02	\$3,675,000	\$1,837,500
Norwood Borough	S340230-01	\$1,155,000	\$577,500
Lambertville MUA	S340882-07	\$420,000	\$210,000
Stanhope Borough	S340504-02	\$315,000	\$157,500
Long Beach Township	S340023-03	\$2,415,000	\$1,207,500
Hamburg Borough	S340149-01	\$1,470,000	\$735,000
Sussex Borough	S340155-01	\$1,260,000	\$630,000
Island Heights Borough	S340176-02	\$105,000	\$52,500
Stone Harbor Borough	S340722-03	\$2,205,000	\$1,102,500
Rockleigh SA	S340232-01	\$1,155,000	\$577,500
Ocean County UA	S340372-42	\$1,680,000	\$840,000
Gloucester County UA	S340902-07	\$2,310,000	\$1,155,000
Cape May County MUA	S340661-13	\$525,000	\$262,500
Northwest Bergen County UA	S340700-10	\$3,360,000	\$1,680,000
Merchantville- Pennsauken Water Commission	S340137-01	\$1,365,000	\$682,500
Old Bridge MUA	S340945-08	\$9,450,000	\$4,725,000
Aberdeen Township	S340869-02	\$6,720,000	\$3,360,000
Willingboro Township	S340132-03	\$2,940,000	\$1,470,000
Delran Township	S340794-06	\$1,050,000	\$525,000
Newark City	S340815-11	\$25,095,000	\$12,547,500
Newark City	S340815-12	\$19,215,000	\$9,607,500
Atlantic County UA	S340809-18	\$2,415,000	\$1,207,500
Atlantic County UA	S340809-19	\$1,575,000	\$787,500
Atlantic County UA	S340809-20	\$525,000	\$262,500
Gloucester Township	S340364-07	\$1,680,000	\$840,000
Gloucester Township	S340364-08	\$840,000	\$420,000
Plainfield City	S340240-01	\$210,000	\$105,000
Berkeley Township	S340969-10	\$2,415,000	\$420,000
Berkeley Township	S340969-11	\$840,000	\$1,207,500
Galloway Township	S340892-03	\$630,000	\$315,000
Galloway Township	S340892-07	\$840,000	\$420,000
Hillside Township	S340906-04	\$840,000	\$420,000
Rahway City	S340546-03	\$1,155,000	\$577,500
Dumont Borough	S340922-05	\$4,935,000	\$2,467,500
Little Falls Township	S340716-06	\$1,050,000	\$525,000
Mount Holly Township	S340817-05	\$210,000	\$105,000
Bogota Borough	S340914-02	\$1,155,000	\$577,500
Linwood City	S340217-01	\$840,000	\$420,000
Linwood City	S340217-02	\$2,100,000	\$1,050,000
Bellmawr Borough	S342011-02	\$27,405,000	\$13,702,500
NJ Water Supply Authority	S343054-07	\$3,465,000	\$1,732,500
NJ City University	S340111-02	\$29,295,000	\$14,647,500

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City of Bayonne Redevelopment Authority	S340051-05	\$2,625,000	\$1,312,500
City of Bayonne Redevelopment Authority	S340051-06	\$3,255,000	\$1,627,500
City of Bayonne Redevelopment Authority	S340051-07	\$7,245,000	\$3,622,500
Woodbridge Township	S340433-10	\$10,185,000	\$5,092,500
Phillipsburg Redevelopment Agency	S340874-06	\$10,290,000	\$5,145,000
Total:		\$305,120,000	\$152,560,000

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3 b. The following environmental infrastructure projects shall be
4 known and may be cited as the "State Fiscal Year 2011 Drinking
5 Water Project Priority List."

6 (1) Of those projects, the following are eligible for a
7 combination of principal forgiveness and zero-interest loans from
8 the department:

9

Project Sponsor	Project Number	Estimated Total Allowable Loan Amount	Estimated Allowable DEP Loan Amount
Trenton City	1111001-009	\$14,070,000	\$7,035,000
Aqua New Jersey Inc.	1103001-003	\$1,365,000	\$682,500
Camden County Board of Education	0415308-001	\$525,000	\$262,500
Sea Village Marina L.L.C.	0108021-002	\$945,000	\$472,500
Great Gorge Terrace Condominium Association	1922014-001	\$1,050,000	\$525,000
Lake Tamarack Water Company., Inc.	1911003-002	\$105,000	\$52,500
Egg Harbor City	0107001-002	\$10,710,000	\$5,355,000
Newark City	0714001-006	\$9,345,000	\$4,672,500
Camden City	0408001-018	\$1,365,000	\$682,500
NJ American Water Company, Inc.	0119002-005	\$3,255,000	\$1,627,500
Passaic Valley Water Commission.	1605002-012	\$1,680,000	\$840,000
Passaic Valley Water Commission	1605002-011	\$2,415,000	\$1,207,500
Passaic Valley Water Commission	1605002-013	\$1,680,000	\$840,000
NJ City University/ Jersey City MUA	0906001-005	\$945,000	\$472,500
Ocean Township	1520001-001	\$1,365,000	\$682,500
National Park Borough	0812001-001	\$3,360,000	\$1,680,000
East Orange City	0705001-008	\$7,770,000	\$3,885,000
Stone Harbor Borough	0510001-004	\$945,000	\$472,500

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Maple Shade Township	0319001-005	\$1,575,000	\$787,500
Total:		\$64,470,000	\$32,235,000

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(2) Of those projects, the following are eligible for zero-interest loans from the department:

Project Sponsor	Project Number	Estimated Total Allowable Loan Amount	Estimated Allowable DEP Loan Amount
Phillipsburg Redevelopment Agency/ Aqua NJ	2119001-006	\$2,730,000	\$1,365,000
Pemberton Borough	0328001-001	\$840,000	\$420,000
NJ American Water Company, Inc.	0712001-005	\$82,005,000	\$41,002,500
Sayreville Borough	1219001-007	\$16,485,000	\$8,242,500
Bordentown City	0303001-004	\$630,000	\$315,000
Clinton Town	1005001-001	\$1,470,000	\$735,000
Island Heights Borough	1510001-003	\$3,150,000	\$1,575,000
Plausha Park Water Company, Inc.	1421004-001	\$210,000	\$105,000
Greenbriar Residential Healthcare Facility. Inc.	1421305-001	\$52,500	\$26,250
Willingboro MUA	0338001-002	\$10,605,000	\$5,302,500
Long Beach Township	1517001-010	\$2,310,000	\$1,155,000
Lyndhurst Township	0232001-002	\$2,625,000	\$1,312,500
Lyndhurst Township	0232001-001	\$12,390,000	\$6,195,000
Beach Haven Borough	1503001-002	\$2,730,000	\$1,365,000
National Park Borough	0812001-003	\$420,000	\$210,000
Alpha Borough	2102001-001	\$2,520,000	\$1,260,000
Byram Homeowners Association. Water Company, Inc.	1904009-002	\$315,000	\$157,500
Middlesex Water Company, Inc.	1225001-012	\$4,305,000	\$2,152,500
NJ American Water Company, Inc./ Free Acres Homeowners Association	0712001-010	\$1,680,000	\$840,000
NJ American Water Company, Inc./ Free Acres Homeowners Association	0712001-011	\$210,000	\$105,000
Avalon Borough	0501001-001	\$1,785,000	\$892,500
Clinton Town	1005001-002	\$3,150,000	\$1,575,000
Aberdeen Township	1330002-002	\$1,575,000	\$787,500
Glen Ridge Borough	0708001-005	\$945,000	\$472,500
Allamuchy Township	2101001-003	\$2,730,000	\$1,365,000
Island Heights Borough	1510001-004	\$315,000	\$157,500

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Byram Homeowners Assoc. Water Company, Inc.	1904009-005	\$210,000	\$105,000
Plausha Park Water Company, Inc.	1421004-002	\$210,000	\$105,000
Old Bridge MUA	1209002-007	\$5,460,000	\$2,730,000
Little Egg Harbor MUA	1516001-002	\$420,000	\$210,000
Waldwick Borough	0264001-002	\$1,260,000	\$630,000
Boonton Town	1401001-001	\$1,365,000	\$682,500
Island Heights Borough	1510001-002	\$2,205,000	\$1,102,500
Byram Homeowners Association Water Company, Inc.	1904009-004	\$52,500	\$26,250
Plausha Park Water Company, Inc.	1421004-003	\$210,000	\$105,000
NJ American Water Company, Inc.	1345001-013	\$1,260,000	\$630,000
NJ American Water Company, Inc.	0327001-011	\$8,400,000	\$4,200,000
NJ American Water Company, Inc.	0712001-012	\$1,470,000	\$735,000
NJ American Water Company, Inc.	0323001-002	\$7,455,000	\$3,727,500
Lakehurst Borough	1513001-001	\$105,000	\$52,500
Byram Homeowners Association Water Company, Inc.	1904009-001	\$105,000	\$52,500
Ocean Township	1520001-002	\$315,000	\$157,500
National Park Borough	0812001-002	\$210,000	\$105,000
Mount Olive Township	1427015-001	\$1,050,000	\$525,000
Byram Homeowners Association. Water Company, Inc.	1904009-003	\$52,500	\$26,250
Nutley Township	0716001-001	\$3,255,000	\$1,627,500
NJ Water Supply Authority	1352005-004	\$4,305,000	\$2,152,500
Total:		\$197,557,500	\$98,778,750

2

3 c. The Department of Environmental Protection is authorized
4 to adjust the allowable DEP loan amount for projects authorized in
5 this section to between 25% and 75% of the total allowable loan
6 amount.

7

8 4. Any financing loan made by the Department of
9 Environmental Protection pursuant to this act shall be subject to the
10 following requirements:

11 a. The Commissioner of Environmental Protection has certified
12 that the project is in compliance with the provisions of P.L.1977,
13 c.224, P.L.1985, c.329, P.L.1992, c.88, P.L.1997, c.223, P.L.1997,
14 c.225 or P.L.2003, c.162, and any rules and regulations adopted
15 pursuant thereto;

1 b. The estimated allowable loan amount shall not exceed 75%
2 of the allowable project cost of the environmental infrastructure
3 facility, except that for projects related to land preservation the loan
4 amount shall not exceed 50% of the allowable project cost. The loan
5 amount for supplemental loans shall not exceed that percentage of
6 the allowable project cost of the project's initial program loan;

7 c. The loan shall be repaid within a period not to exceed 23
8 years of the making of the loan;

9 d. The loan shall be subject to any other terms and conditions
10 as may be established by the commissioner and approved by the
11 State Treasurer, which may include, notwithstanding any other
12 provision of law to the contrary, subordination of a loan authorized
13 in this act to loans made by the trust pursuant to P.L. ,

14 c. (pending before the Legislature as Senate Bill No. 2002 of 2010
15 and Assembly Bill No. of 2010), or to administrative fees
16 payable to the trust pursuant to subsection o. of section 5 of
17 P.L.1985, c.334 (C.58:11B-5).

18

19 5. The priority lists and authorization for the making of loans
20 pursuant to sections 2 and 3 of this act shall expire on July 1, 2011,
21 and any project sponsor which has not executed and delivered a
22 loan agreement with the department for a loan authorized in this act
23 shall no longer be entitled to that loan.

24

25 6. The Commissioner of Environmental Protection is
26 authorized to reduce or increase the individual amount of loan funds
27 made available to or on behalf of project sponsors pursuant to
28 sections 2 and 3 of this act based upon final or low bid building
29 costs defined in and determined in accordance with rules and
30 regulations adopted by the commissioner pursuant to section 4 of
31 P.L.1985, c.329, section 2 of P.L.1999, c.362 (C.58:12A-12.2) or
32 section 5 of P.L.1981, c.261, provided that the total loan amount
33 does not exceed the original loan amount.

34

35 7. The expenditure of the funds appropriated by this act is
36 subject to the provisions and conditions of P.L.1977, c.224,
37 P.L.1985, c.329, P.L.1992, c.88, P.L.1997, c.223, P.L.1997, c.225
38 or P.L.2003, c.162, and the rules and regulations adopted by the
39 Commissioner of Environmental Protection pursuant thereto, and
40 the provisions of the Federal American Recovery and Reinvestment
41 Act, the Federal Clean Water Act or the Federal Safe Drinking
42 Water Act, and any amendatory and supplementary acts thereto, as
43 appropriate.

44

45 8. The Department of Environmental Protection shall provide
46 general technical assistance to any project sponsor requesting
47 assistance regarding environmental infrastructure project
48 development or applications for funds for a project.

1 9. a. Prior to repayment to the Clean Water State Revolving
2 Fund pursuant to section 1 and 2 of P.L.2009, ch.77, prior to
3 repayment to the "Wastewater Treatment Fund" pursuant to the
4 provisions of section 16 of P.L.1985, c.329, prior to repayment to
5 the "1992 Wastewater Treatment Fund" pursuant to the provisions
6 of section 28 of P.L.1992, c.88, prior to repayment to the Drinking
7 Water State Revolving Fund, prior to repayment to the "Stormwater
8 Management and Combined Sewer Overflow Abatement Fund"
9 pursuant to the provisions of section 15 of P.L.1989, c.181, prior to
10 repayment to the "2003 Water Resources and Wastewater
11 Treatment Fund" pursuant to the provisions of section 20 of
12 P.L.2003, c.162, or prior to repayment to the "Water Supply Fund"
13 pursuant to the provisions of section 15 of P.L.1981, c.261,
14 repayments of loans made pursuant to these acts may be utilized by
15 the New Jersey Environmental Infrastructure Trust established
16 pursuant to P.L.1985, c.334 (C.58:11B-1 et seq.), as amended and
17 supplemented by P.L.1997, c.224, under terms and conditions
18 established by the commissioner and trust, and approved by the
19 State Treasurer, and consistent with the provisions of P.L.1985,
20 c.334 (C.58:11B-1 et seq.) and federal tax, environmental or
21 securities law, to the extent necessary to secure repayment of trust
22 bonds issued to finance loans approved pursuant to P.L. ,
23 c. (pending before the Legislature as Senate Bill No. 2002 of 2010
24 and Assembly Bill No. of 2010), and to secure the administrative
25 fees payable to the trust pursuant to subsection o. of section 5 of
26 P.L.1985, c.334 (C.58:11B-5) by the project sponsors receiving
27 trust loans.

28 b. Prior to repayment to the Clean Water State Revolving Fund
29 pursuant to section 1 and 2 of P.L. 2009, ch.77, prior to repayment
30 to the "Wastewater Treatment Fund" pursuant to the provisions of
31 section 16 of P.L.1985, c.329, prior to repayment to the "1992
32 Wastewater Treatment Fund" pursuant to the provisions of section
33 28 of P.L.1992, c.88, prior to repayment to the "Water Supply
34 Fund" pursuant to the provisions of section 15 of P.L.1981, c.261,
35 prior to repayment to the Drinking Water State Revolving Fund,
36 prior to repayment to the "2003 Water Resources and Wastewater
37 Treatment Fund" pursuant to the provisions of section 20 of
38 P.L.2003, c.162, or prior to repayment to the "Stormwater
39 Management and Combined Sewer Overflow Abatement Fund"
40 pursuant to the provisions of section 15 of P.L.1989, c.181, the trust
41 is further authorized to utilize repayments of loans made pursuant to
42 P.L.1989, c.189, P.L.1990, c.99, P.L.1991, c.325, P.L.1992, c.38,
43 P.L.1993, c.193, P.L.1994, c.106, P.L.1995, c.219, P.L.1996, c.85,
44 P.L.1997, c.221, P.L.1998, c.84, P.L.1999, c.174, P.L.2000, c.92,
45 P.L.2001, c.222, P.L.2002, c.70, P.L.2003, c.158, P.L.2004, c.109,
46 P.L.2005, c.196, P.L.2006, c.68, P.L.2007, c.139, P.L.2008, c.68,
47 P.L.2009, c.102 or P.L. , c. (pending before the Legislature as
48 Senate Bill No. 2003 of 2010 and Assembly Bill No. of 2010) to

1 secure repayment of trust bonds issued to finance loans approved
2 pursuant to P.L.1995, c.218, P.L.1996, c.87, P.L.1997, c.222,
3 P.L.1998, c.85, P.L.1999, c.173, P.L.2000, c.93, P.L.2001, c.224,
4 P.L.2002, c.71, P.L.2003, c.159, P.L.2004, c.110, P.L.2005, c.197,
5 P.L.2006, c.67, P.L.2007, c.140, P.L.2008, c.67, P.L.2009, c.101 or
6 P.L. , c. (pending before the Legislature as Senate Bill No. 2002
7 of 2010 and Assembly Bill No. of 2010), and to secure the
8 administrative fees payable to the trust under these loans pursuant
9 to subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5).

10 c. To the extent that any loan repayment sums are used to
11 satisfy any trust bond repayment or administrative fee payment
12 deficiencies, the trust shall repay such sums to the department for
13 deposit into the Clean Water State Revolving Fund, the
14 "Wastewater Treatment Fund," the "1992 Wastewater Treatment
15 Fund," the "Water Supply Fund," the Drinking Water State
16 Revolving Fund, the "2003 Water Resources and Wastewater
17 Treatment Fund," or the "Stormwater Management and Combined
18 Sewer Overflow Abatement Fund," as appropriate, from amounts
19 received by or on behalf of the trust from project sponsors causing
20 any such deficiency.

21
22 10. The Commissioner of Environmental Protection is
23 authorized to enter into capitalization grant agreements as may be
24 required pursuant to the Federal Clean Water Act, the Federal
25 American Recovery and Reinvestment Act or the Federal Safe
26 Drinking Water Act.

27
28 11. There is appropriated to the New Jersey Environmental
29 Infrastructure Trust established pursuant to P.L.1985, c.334
30 (C.58:11B-1 et seq.) from repayments of loans and interest
31 deposited in any account, on or before June 30, 2011, including the
32 "Clean Water State Revolving Fund," the "1992 Wastewater
33 Treatment Fund," the "Water Supply Fund," the "Stormwater
34 Management and Combined Sewer Overflow Abatement Fund,"
35 "2003 Water Resources Wastewater Treatment Fund," or the
36 Drinking Water State Revolving Fund, as appropriate, and from any
37 net earnings received from the investment and reinvestment of such
38 deposits, such sums as the chairman of the trust shall certify to the
39 Commissioner of Environmental Protection to be necessary and
40 appropriate for deposit into one or more reserve funds or the
41 Interim Financing Program Fund established by the trust pursuant to
42 section 11 of P.L.1985, c.334 (C.58:11B-11).

43
44 12. This act shall take effect immediately.