

CHAPTER 6

AN ACT allocating certain previously appropriated, unexpended funds for remediating underground storage tanks and discharges therefrom to the support of brownfields development and to establish an underground storage tank inspection program, supplementing Title 13 of the Revised Statutes and amending P.L.2003, c.122.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.58:10B-4.1 Corporation business tax revenue, certain, deposited to Hazardous Discharge Site Remediation Fund; amount.

1. a. Pursuant to the amendment of subparagraph (b) of paragraph 6 of Article VIII, Section II of the State Constitution, adopted at the 2003 general election and effective December 4, 2003, authorizing corporation business tax revenue previously dedicated under that subparagraph for the remediation of underground storage tanks and discharges therefrom to be used for hazardous discharge site remediation, the New Jersey Economic Development Authority shall deposit the amount determined under subsection b. of this section into the Hazardous Discharge Site Remediation Fund, created pursuant to section 26 of P.L.1993, c.139 (C.58:10B-4), for the purposes of that fund.

b. The amount to be deposited under subsection a. of this section shall equal: (1) fifty percent of that portion of the monies dedicated pursuant to the provisions of subparagraph (b) of paragraph 6 of Article VIII, Section II of the State Constitution prior to the amendment of that subparagraph effective December 4, 2003 to provide funding, including the provision of loans or grants, for the upgrade, replacement, or closure of underground storage tanks that store or were used to store hazardous substances, and for the costs of remediating any discharge therefrom, previously appropriated by P.L.1997, c.235 to the New Jersey Economic Development Authority for deposit into the Petroleum Underground Storage Tank Remediation, Upgrade, and Closure Fund, and by P.L.1997, c.131; P.L.1998, c.45; P.L.1999, c.130; P.L.2000, c.53; P.L.2001, c.130; P.L.2002, c.138; and P.L.2003, c.122 to the Private Underground Storage Tank Remediation - Constitutional Dedication account in the Department of Environmental Protection, and remaining unexpended as of December 31, 2003, as shall be determined by the Director of the Division of Budget and Accounting, less (2) \$1,000,000.

C.58:10A-30.1 Underground storage tank inspection program, established.

2. There shall be established an underground storage tank inspection program in the Department of Environmental Protection pursuant to provisions of the amendment of subparagraph (b) of paragraph 6 of Article VIII, Section II of the State Constitution, adopted at the 2003 general election and effective December 4, 2003 providing therefor.

3. The following language provision is added to section 1 of P.L.2003, c.122, the fiscal year 2004 annual appropriation act:

42 DEPARTMENT OF ENVIRONMENTAL PROTECTION

40 Community Development and Environmental Management

44 Site Remediation and Waste Management

CAPITAL CONSTRUCTION

29-4815 Environmental Remediation and Monitoring

Of the unexpended balance from the amount appropriated to the Department of Environmental Protection for Private Underground Tank Remediation - Constitutional Dedication for the fiscal year ending June 30, 2004 by P.L.2003, c.122, there is allocated an amount not to exceed \$1,000,000, as shall be determined by the Director of the Division of Budget and Accounting, to the department for the costs of the State underground storage tank inspection program, which costs may include the direct but not indirect program administrative costs incurred by the State for the employment of inspectors and a compliance and enforcement staff, and the purchase of vehicles and equipment necessary for the implementation thereof.

4. This act shall take effect immediately.

Approved April 14, 2004.