

## CHAPTER 139

**AN ACT** appropriating moneys to the Department of Environmental Protection for the purpose of making zero interest loans to project sponsors to finance a portion of the costs of construction of environmental infrastructure projects.

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

1. a. (1) There is appropriated to the Department of Environmental Protection from the Clean Water Fund - State Revolving Fund Accounts (hereinafter referred to as the "Clean Water State Revolving Fund Accounts") an amount equal to the Federal fiscal year 2007 capitalization grant made available to the State for clean water project loans pursuant to the "Water Quality Act of 1987" (33 U.S.C.s.1251 et seq.), and any amendatory and supplementary acts thereto (hereinafter referred to as the "Federal Clean Water Act").

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

(3) There is appropriated to the Department of Environmental Protection from the Drinking Water State Revolving Fund an amount equal to the Federal fiscal year 2007 capitalization grant made available to the State for drinking water projects pursuant to the "Safe Drinking Water Act Amendments of 1996" Pub.L.104-182, and any amendatory and supplementary acts thereto (hereinafter referred to as the "Federal Safe Drinking Water Act").

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

(4) There is appropriated to the Department of Environmental Protection the unappropriated balances from the "Wastewater Treatment Fund" established pursuant to section 15 of the "Wastewater Treatment Bond Act of 1985," (P.L.1985, c.329) for the purposes of clean water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(5) Of the sums appropriated to the Department of Environmental Protection from the "Water Supply Fund" established pursuant to section 14 of the "Water Supply Bond Act of 1981" (P.L.1981, c.261) pursuant to P.L.1999, c.174, P.L.2001, c.222, P.L.2002, c.70 and P.L.2003, c.158, the department is authorized to transfer such amounts as needed to the Drinking Water State Revolving Fund for the purposes of drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(6) Of the sums appropriated to the Department of Environmental Protection from the "1992 Wastewater Treatment Fund" established pursuant to section 27 of the "Green Acres,

Clean Water, Farmland and Historic Preservation Bond Act of 1992," (P.L.1992, c.88) pursuant to P.L.1996, c.85, P.L.1997, c.221, P.L.1998, c.84, P.L.1999, c.174, P.L.2000, c.92, P.L.2001, c.222 and P.L.2002, c.70, the department is authorized to transfer any unexpended balances and any repayments of loans therefrom in such amounts as needed to the Clean Water State Revolving Fund Accounts for the purposes of clean water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(7) Of the sums appropriated to the Department of Environmental Protection from the "2003 Water Resources and Wastewater Treatment Fund" established pursuant to subsection a. of section 19 of the "Dam, Lake, Stream, Flood Control, Water Resources, and Wastewater Treatment Project Bond Act of 2003," (P.L.2003, c.162) pursuant to P.L.2004, c.109, the department is authorized to transfer such amounts as needed to the Clean Water State Revolving Fund Accounts for the purposes of clean water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(8) There is appropriated to the Department of Environmental Protection the sum of \$25,000,000 from the "2003 Water Resources and Wastewater Treatment Fund" established pursuant to subsection a. of section 19 of the "Dam, Lake, Stream, Flood Control, Water Resources, and Wastewater Treatment Project Bond Act of 2003," (P.L.2003, c.162) for the purposes of drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(9) There is appropriated to the Department of Environmental Protection, from the project loans canceled pursuant to subsection a. of section 12 of this act, the sum of \$6,424,148 from the "Water Supply Fund" established pursuant to section 14 of the "Water Supply Bond Act of 1981" (P.L.1981, c.261) for the purposes of drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(10) There is appropriated to the Department of Environmental Protection, from the repayment of loans made pursuant to P.L.1982, c.129 and P.L.1985, c.99, the sum of \$677,396 from the "Water Supply Fund" established pursuant to section 14 of the "Water Supply Bond Act of 1981" (P.L.1981, c.261) for the purposes of drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(11) There is appropriated to the Department of Environmental Protection, from the project loans canceled pursuant to subsection b. of section 12 of this act, the sum of \$19,264,863 from the "Water Supply Fund" established pursuant to section 14 of the "Water Supply Bond Act of 1981" (P.L.1981, c.261) for the purposes of drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(12) There is appropriated to the Department of Environmental Protection, from the repayment of loans made pursuant to P.L.1983, c.499, P.L.1985, c.99, P.L.1987, c.366 and P.L.1991, c.352, the sum of \$3,253,254 from the "Water Supply Fund" established pursuant to section 14 of the "Water Supply Bond Act of 1981" (P.L.1981, c.261) for the purposes of

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

(13) There is appropriated to the Department of Environmental Protection, from the project loans canceled pursuant to subsection c. of section 12 of this act, the sum of \$13,159,689 from the "Water Supply Fund" established pursuant to section 14 of the "Water Supply Bond Act of 1981" (P.L.1981, c.261) for the purposes of drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(14) There is appropriated to the Department of Environmental Protection, from the repayment of loans made pursuant to P.L.1982, c.131, P.L.1985, c.99, P.L.1987, c.309 and P.L.1991, c.351, the sum of \$3,699,110 from the "Water Supply Fund" established pursuant to section 14 of the "Water Supply Bond Act of 1981" (P.L.1981, c.261) for the purposes of drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(15) There is appropriated to the Department of Environmental Protection the sums deposited by the New Jersey Environmental Infrastructure Trust into the "Wastewater Treatment Fund," the "1992 Wastewater Treatment Fund," the "Water Supply Fund," the "Stormwater Management and Combined Sewer Overflow Abatement Fund" or the Drinking Water State Revolving Fund, as appropriate, pursuant to paragraph (6) of subsection c. of section 1 of .P.L.2007, c.140, for the purposes of clean water project loans and drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act and drinking water projects pursuant to the Federal Safe Drinking Water Act.

Any such amounts shall be for the purpose of making zero interest loans, to the extent sufficient funds are available, to or on behalf of local government units or public water utilities (hereinafter referred to as "project sponsors") to finance a portion of the cost of construction of clean water projects and drinking water projects listed in sections 2 and 3 of this act, and for the purpose of implementing and administering the provisions of this act, to the extent permitted by the Federal Clean Water Act, and any amendatory and supplementary acts thereto, the "Wastewater Treatment Bond Act of 1985" (P.L.1985, c.329), the "Water Supply Bond Act of 1981," (P.L.1981, c.261), the "Stormwater Management and Combined Sewer Overflow Abatement Bond Act of 1989" (P.L.1989, c.181), the "Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992," (P.L.1992, c.88), the "Dam, Lake, Stream, Flood Control, Water Resources, and Wastewater Treatment Project Bond Act of 2003," (P.L.2003, c.162), the Federal Safe Drinking Water Act, and any amendatory and supplementary acts thereto, and State law.

b. The department is authorized to make zero interest loans to or on behalf of the project sponsors for the environmental infrastructure projects listed in subsection a. of section 2 and subsection a. of section 3 of this act for clean water projects, and subsection b. of section 2 and subsection b. of section 3 of this act for drinking water projects, up to the individual amounts indicated and in the priority stated, except as any such amount may be reduced by the Commissioner of Environmental Protection pursuant to section 6 of this act, or if a project fails to meet the requirements of section 4 of this act.

c. The department is authorized to make zero interest loans to or on behalf of the project sponsors for the environmental infrastructure projects listed in sections 2 and 3 of this act under the same terms, conditions and requirements as set forth in this section from any unexpended balances of the amounts appropriated pursuant to section 1 of P.L.1987, c.200, section 2 of P.L.1988, c.133, section 1 of P.L.1989, c.189, section 1 of P.L.1990, c.99, section 1 of P.L.1991, c.325, section 1 of P.L.1992, c.38, section 1 of P.L.1993, c.193, section 1 of P.L.1994, c.106, section 1 of P.L.1995, c.219, section 1 of P.L.1996, c.85, section 1 of P.L.1997, c.221, section 2 of P.L.1998, c.84, section 2 of P.L.1999, c.174, section 2 of P.L.2000, c.92, sections 1 and 2 of P.L.2001, c.222, sections 1 and 2 of P.L.2002, c.70, sections 1 and 2 of P.L.2003, c.158, sections 1 and 2 of P.L.2004, c.109, sections 1 and 2 of P.L.2005, c.196, or sections 1 and 2 of P.L.2006, c.68, including amounts resulting from the final building cost reductions authorized pursuant to section 6 of P.L.1987, c.200, section 7 of P.L.1988, c.133, section 6 of P.L.1989, c.189, section 6 of P.L.1990, c.99, section 6 of P.L.1991, c.325, section 6 of P.L.1992, c.38, section 6 of P.L.1993, c.193, section 6 of P.L.1994, c.106, section 6 of P.L.1995, c.219, section 6 of P.L.1996, c.85, section 6 of P.L.1997, c.221, section 7 of P.L.1998, c.84, section 6 of P.L.1999, c.174, section 6 of P.L.2000, c.92, section 6 of P.L.2001, c.222, section 6 of P.L.2002, c.70, section 6 of P.L.2003, c.158, section 6 of P.L.2004, c.109, section 6 of P.L.2005, c.196, and section 6 of P.L.2006, c.68, and from any repayments of loans from the "Wastewater Treatment Fund," the "Water Supply Fund," the "1992 Wastewater Treatment Fund," the "2003 Water Resources and Wastewater Treatment Fund," or amounts deposited therein during State fiscal year 2007 pursuant to the provisions of section 16 of P.L.1985, c.329, including any Clean Water State Revolving Fund Accounts contained within the "Wastewater Treatment Fund," and from any repayment of loans from the Drinking Water State Revolving Fund.

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

<b>Project Number</b>	<b>Project Sponsor</b>	<b>Estimated Allowable Loan Amount</b>
340399-08-1	Bayonne MUA	\$750,000
340364-03-1	Gloucester Township MUA	\$143,000
340679-01/2005-01-1	Linden City	\$1,831,500
340372-26-1	Ocean County UA	<u>\$5,395,500</u>
	<b>TOTAL</b>	<u>\$8,120,000</u>

(2) The loans authorized in this subsection shall be made for the difference between the allowable loan amounts required by these projects based upon final building costs pursuant to section 6 of this act and the loan amounts certified by the commissioner in State fiscal years 2005, 2006 and 2007 and for increased allowable costs as defined and determined in accordance with the rules and regulations adopted by the department pursuant to section 4 of P.L.1985, c.329. The loans authorized in this subsection shall be made to or on behalf of the project sponsors listed, up to the individual amounts indicated and in the priority stated, to the extent sufficient funds are available, except as a project fails to meet the requirements of section 4 of this act.

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

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

<b>Project Number</b>	<b>Project Sponsor</b>	<b>Estimated Allowable Loan Amount</b>
0408001-009/12-1	Camden City East Brookwood	\$1,155,000
1904002-001/2/3-2	Estates POA	\$75,000
0221001-001/2-1	Garfield City Mount Laurel	\$1,142,500
0324001-005-1	Township MUA	\$3,002,000
1111001-004-1	Trenton City	<u>\$10,626,750</u>
	<b>TOTAL</b>	<u>\$16,001,250</u>

(2) The loans authorized in this subsection shall be made for the difference between the allowable loan amounts required by these projects based upon final building costs pursuant to section 6 of this act and the loan amounts certified by the commissioner in State fiscal years 2001, 2002, 2005, 2006 and 2007, and for increased allowable costs as defined and determined in accordance with the rules and regulations adopted by the department pursuant to section 5 of P.L.1981, c.261. The loans authorized in this subsection shall be made to or on behalf of the project sponsors listed, up to the individual amounts indicated and in the priority stated, to the extent sufficient funds are available, except as a project fails to meet the requirements of section 4 of this act.

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

3. a. The following environmental infrastructure projects shall be known and may be cited as the "State Fiscal Year 2008 Clean Water Project Priority List":

<b>Project Number</b>	<b>Project Sponsor</b>	<b>Estimated Allowable Loan Amount</b>
340384-06	Musconetcong SA	\$997,500
340747-06	Jefferson Township	\$2,600,000
340385-04	Berkeley Heights Township	\$2,249,500
340815-09	Newark City	\$11,505,750
340259-03	Kearny Town MUA	\$5,625,000
340809-15	Atlantic County Utilities Authority	\$1,230,750
340446-08	Edgewater MUA	\$2,472,750
340750-06	Township of Ocean SA	\$3,256,500
340883-03	Asbury Park City (Asbury Partners, LLC)	\$7,041,750
340372-28	Ocean County UA	\$1,037,500
340372-29	Ocean County UA	\$4,565,500
340801-06	Somerset Raritan Valley SA	\$7,267,000
340346-03	Medford Township	\$1,217,000

<b>Project Number</b>	<b>Project Sponsor</b>	<b>Estimated Allowable Loan Amount</b>
340817-03	Mount Holly MUA	\$18,142,500
340111-02	New Jersey City University	\$19,578,000
343045-01	Cape May City	\$3,818,250
340815-10	Newark City	\$14,102,250
340815-08	Newark City	\$1,196,250
340928-05	Jersey City MUA	\$11,177,250
340952-09	North Hudson SA	\$5,866,500
340821-03	Rockaway Valley RSA	\$7,143,500
340942-09	Elizabeth City	\$3,000,000
343051-02	Hamilton Township	\$3,486,000
343066-02	Cherry Hill Township	\$3,972,750
343010-02	Brick Township	\$2,250,000
343021-02	Middletown Township	\$2,634,000
340110-02	Bergen County/Bergen County IA	\$3,955,000
340051-02	Bayonne Local Redevelopment Authority	\$12,794,250
340839-01	Franklin Township SA	\$6,875,000
340400-04	Stony Brook RSA	\$2,791,000
340399-21	North Bergen MUA	\$29,316,750
343071-01	Berkeley Township	\$1,938,750
343054-04	NJ Water Supply Authority (Raritan Basin)	\$3,408,750
343034-04	Readington Township	\$8,922,750
342011-01	Bellmawr Borough	\$4,345,000
340957-02	Fairfield Township	\$2,280,000
342012-01	Middlesex County UA	\$32,802,000
	Princeton Borough	\$1,057,500
340656-04A	(Princeton Sewer Operating Committee) Princeton Township	\$1,057,500
340656-04B	(Princeton Sewer Operating Committee)	
340285-02	Magnolia Borough	\$304,000
340722-01	Stone Harbor Borough	\$1,131,000
340372-30	Ocean County UA	\$1,715,500
340372-31	Ocean County UA	\$2,144,500
340809-16	Atlantic County Utilities Authority	\$1,119,000
340809-14	Atlantic County Utilities Authority	\$2,163,000
340809-11	Atlantic County Utilities Authority	\$5,438,250
340969-05	Berkeley Township SA	\$1,809,000
340947-03	West Deptford Township	\$3,338,500
340863-02	Elmwood Park Borough	\$2,300,000
340148-02	Saddle Brook Township	\$1,265,000
340073-01	Leonora Borough	\$304,500
340446-10	Bergen County UA (Edgewater Colony)	\$950,000
340289-01	Westville Borough	\$337,500
340285-01	Magnolia Borough	\$724,500
340083-01	Seaside Park Borough	\$2,284,000
340689-11	Passaic Valley Sewerage Commissioners	\$19,360,500
340523-04	Caldwell Boro	\$8,336,500

<b>Project Number</b>	<b>Project Sponsor</b>	<b>Estimated Allowable Loan Amount</b>
340850-03	Paterson City	\$14,823,000
340640-09	Camden County MUA	\$21,235,500
340386-05	Bergen County UA	\$1,229,250
340806-04	Parsippany-Troy Hills Township	\$4,574,000
340689-14	Passaic Valley Sewerage Commissioners	\$571,500
340366-08	Camden City	\$2,252,250
340259-05	Kearny Town/MUA	\$4,463,250
340094-01	Hudson County Improvement Authority	\$16,529,250
343072-01	High Bridge Borough	\$6,150,000
340386-06	Bergen County UA/Edgewater MUA	\$23,083,500
340922-02	Dumont Boro	\$1,631,500
340922-03	Dumont Boro	\$370,500
340827-03	Brigantine City	\$140,500
340274-03	Pine Hill Boro MUA	\$825,000
340095-01	Linwood City	\$275,000
340479-02	Point Pleasant Beach Boro	<u>\$324,000</u>
	<b>TOTAL</b>	<b><u>\$412,481,250</u></b>

b. The following environmental infrastructure projects shall be known and may be cited as the "State Fiscal Year 2008 Drinking Water Project Priority List":

<b>Project Number</b>	<b>Project Sponsor</b>	<b>Estimated Allowable Loan Amount</b>
0601001-002	Bridgeton City	\$1,608,000
0811003-001	Continental Communities LLC	\$1,068,000
1613001-016	North Jersey DWSC	\$1,152,750
0436007-006	Winslow Township	\$1,942,000
0248001-013	Ramsey Borough	\$165,000
0248001-012	Ramsey Borough	\$165,000
0248001-011	Ramsey Borough	\$165,000
0248001-010	Ramsey Borough	\$330,000
0248001-008	Ramsey Borough	\$330,000
1712001-001	Salem City	\$4,089,500
0714001-003	Newark City	\$3,374,250
0714001-004	Newark City	\$3,374,250
0906001-002	Jersey City/Jersey City MUA	\$4,933,500
0414001-001	Gloucester City	\$4,924,000
0319001-002	Maple Shade Township	\$6,133,000
1605002-007	Passaic Valley WC	\$863,500
1605002-006	Passaic Valley WC	\$1,592,250
0906001-004	Jersey City/Jersey City MUA	\$1,501,500
0906001-003	Jersey City/Jersey City MUA	\$3,396,000
0906001-005	New Jersey City University	\$490,500
0901001-002	Bayonne MUA	\$509,250
0901001-001	Bayonne MUA	\$1,249,500
1511002-004	Jackson Township MUA	\$4,997,500
	Merchantville-Pennsauken	\$825,500

<b>Project Number</b>	<b>Project Sponsor</b>	<b>Estimated Allowable Loan Amount</b>
0424001-003	Water Commission	
1527001-001	Seaside Park Borough	\$2,209,000
1215001-001	North Brunswick Township	\$9,833,500
0510001-002	Stone Harbor Borough	\$302,000
1216001-004	Perth Amboy City	\$1,226,500
0820001-002	West Deptford Township	\$527,000
0103001-008	Brigantine City	\$531,500
1511002-005	Jackson Township MUA	\$1,298,000
1111001-006	Trenton City	\$6,641,250
1505004-001	Berkeley Township MUA	\$4,401,000
1225001-010	Middlesex Water Company	\$1,925,000
1911003-001	Lake Tamarack WC	\$55,500
1530004-009/010	Stafford Township	\$228,500
1411001-001	Florham Park Boro	\$3,774,000
0108021-001	Sea Village Marina	\$65,500
1003001-001	Bloomsbury Boro	\$118,000
1530004-003/004	Stafford Township	\$7,038,000
1511002-006	Jackson Township MUA	<u>\$324,500</u>
	<b>TOTAL</b>	<b><u>\$89,678,500</u></b>

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

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

b. The loan amount shall not exceed 50% of the allowable project cost of the environmental infrastructure facility, except that for (1) projects serving a designated Urban Center or Urban Complex; (2) projects that eliminate, reduce or improve combined sewer overflows; (3) open space land acquisition projects; (4) projects serving a designated Transit Village; (5) brownfields remediation projects located in designated Brownfields Development Areas; (6) projects to repair or replace on-site septic systems through a Septic Management District; or (7) projects located within transfer of development designated receiving zones pursuant to section 3 of P.L.2004, c.2 (C.40:55D-139), the loan amount shall not exceed 75% of the allowable project cost of the environmental infrastructure facility;

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

d. The loan shall be conditioned upon approval of a loan from the New Jersey Environmental Infrastructure Trust pursuant to P.L.2007, c.140;

e. The loan shall be subject to any other terms and conditions as may be established by the commissioner and approved by the State Treasurer, which may include, notwithstanding any other provision of law to the contrary, subordination of a loan authorized in this act to loans made by the trust pursuant to P.L.2007, c.140, or to administrative fees payable to the trust pursuant to subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5).



5. The priority lists and authorization for the making of loans pursuant to sections 2 and 3 of this act shall expire on July 1, 2008, and any project sponsor which has not executed and delivered a loan agreement with the department for a loan authorized in this act shall no longer be entitled to that loan.

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

7. The expenditure of the funds appropriated by this act is subject to the provisions and conditions of P.L.1977, c.224, P.L.1985, c.329, P.L.1992, c.88, P.L.1997, c.223, P.L.1997, c.225 or P.L.2003, c.162, and the rules and regulations adopted by the commissioner pursuant thereto, and the provisions of the Federal Clean Water Act or the Federal Safe Drinking Water Act, as appropriate.

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

9. a. Prior to repayment to the "Wastewater Treatment Fund" pursuant to the provisions of section 16 of P.L.1985, c.329, prior to repayment to the "1992 Wastewater Treatment Fund" pursuant to the provisions of section 28 of P.L.1992, c.88, prior to repayment to the Drinking Water State Revolving Fund, prior to repayment to the "Stormwater Management and Combined Sewer Overflow Abatement Fund" pursuant to the provisions of section 15 of P.L.1989, c.181, prior to repayment to the "2003 Water Resources and Wastewater Treatment Fund" pursuant to the provisions of section 20 of P.L.2003, c.162, or prior to repayment to the "Water Supply Fund" pursuant to the provisions of section 15 of P.L.1981, c.261, repayments of loans made pursuant to these acts may be utilized by the New Jersey Environmental Infrastructure Trust established pursuant to P.L.1985, c.334 (C.58:11B-1 et seq.), as amended and supplemented by P.L.1997, c.224, under terms and conditions established by the commissioner and trust, and approved by the State Treasurer, and consistent with the provisions of P.L.1985, c.334 (C.58:11B-1 et seq.) and federal tax, environmental or securities law, to the extent necessary to secure repayment of trust bonds issued to finance loans approved pursuant to P.L.2007, c.140, and to secure the administrative fees payable to the trust pursuant to subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5) by the project sponsors receiving trust loans.

b. Prior to repayment to the "Wastewater Treatment Fund" pursuant to the provisions of section 16 of P.L.1985, c.329, prior to repayment to the "1992 Wastewater Treatment Fund" pursuant to the provisions of section 28 of P.L.1992, c.88, prior to repayment to the "Water Supply Fund" pursuant to the provisions of section 15 of P.L.1981, c.261, prior to repayment to the Drinking Water State Revolving Fund, prior to repayment to the "2003 Water Resources and Wastewater Treatment Fund" pursuant to the provisions of section 20 of P.L.2003, c.162, or prior to repayment to the "Stormwater Management and Combined Sewer Overflow Abatement Fund" pursuant to the provisions of section 15 of P.L.1989, c.181, the

trust is further authorized to utilize repayments of loans made pursuant to P.L.1989, c.189, P.L.1990, c.99, P.L.1991, c.325, P.L.1992, c.38, P.L.1993, c.193, P.L.1994, c.106, P.L.1995, c.219, P.L.1996, c.85, P.L.1997, c.221, P.L.1998, c.84, P.L.1999, c.174, P.L.2000, c.92, P.L.2001, c.222, P.L.2002, c.70, P.L.2003, c.158, P.L.2004, c.109, P.L.2005, c.196, P.L.2006, c.68 or P.L.2007, c.139 to secure repayment of trust bonds issued to finance loans approved pursuant to P.L.1995, c.218, P.L.1996, c.87, P.L.1997, c.222, P.L.1998, c.85, P.L.1999, c.173, P.L.2000, c.93, P.L.2001, c.224, P.L.2002, c.71, P.L.2003, c.159, P.L.2004, c.110, P.L.2005, c.197, P.L.2006, c.67 or P.L.2007, c.140, and to secure the administrative fees payable to the trust under these loans pursuant to subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5).

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

10. The Commissioner of Environmental Protection is authorized to enter into capitalization grant agreements as may be required pursuant to the Federal Clean Water Act or the Federal Safe Drinking Water Act.

11. There is appropriated to the New Jersey Environmental Infrastructure Trust established pursuant to P.L.1985, c.334 (C.58:11B-1 et seq.) from repayments of loans deposited in any account, including the Clean Water State Revolving Fund Accounts contained within the "Wastewater Treatment Fund," the "1992 Wastewater Treatment Fund," the "Water Supply Fund," the "Stormwater Management and Combined Sewer Overflow Abatement Fund," or the Drinking Water State Revolving Fund, as appropriate, and from any net earnings received from the investment and reinvestment of such deposits, such sums as the chairman of the trust shall certify to the Commissioner of Environmental Protection to be necessary and appropriate for deposit into one or more reserve funds established by the trust pursuant to section 11 of P.L.1985, c.334 (C.58:11B-11).

12. a. The following State and local project loans, which were authorized but not funded from the sums appropriated to the Department of Environmental Protection from the "Water Supply Fund" established pursuant to section 14 of the "Water Supply Bond Act of 1981" (P.L.1981, c.261) pursuant to section 1 of P.L.1982, c.129 and section 1 of P.L.1985, c.99, are canceled:

Great Notch;

New Brunswick-South River area;

Chatham Boro;

Netcong Boro;

Essex Fells Township.

The unexpended balances from the canceled loans are returned to the "Water Supply Fund."

b. The following project loans, which were authorized but not funded from the sums appropriated to the Department of Environmental Protection from the "Water Supply Fund" for remedial programs to resolve water supply contamination problems and to construct

water supply facilities to replace contaminated wells as authorized pursuant to section 1 of P.L.1983, c.499, section 1 of P.L.1985, c.99, section 1 of P.L.1987, c.366 and section 1 of P.L.1991, c.352, are canceled:

Boonton Township;  
Branchburg Township;  
Bridgewater Township;  
Deerfield Township;  
East Hanover Township;  
Essex Fells Township;  
Lafayette Township;  
Lodi Boro;  
Monroe Township;  
Mount Olive Township;  
Stanhope Boro;  
Washington Township;  
Bridgeton City;  
Dover Township;  
Egg Harbor Township;  
Franklin Boro;  
Hopewell Township;  
Manchester Township MUA;  
Lakewood Township;  
Millville City;  
Pennington Boro;  
Washington Township.

The unexpended balances from the canceled loans are returned to the "Water Supply Fund."

c. The following project loans, which were authorized but not funded from the sums appropriated to the Department of Environmental Protection from the "Water Supply Fund" pursuant to section 1 of P.L.1982, c.131, section 1 of P.L.1985, c.99, section 1 of P.L.1987, c.309 and section 1 of P.L.1991, c.351, are canceled:

Ringwood Boro;  
Chatham Boro;  
Ho-Ho-Kus Boro;  
Madison Boro;  
Paulsboro Boro;  
Riverdale Boro;  
Stockton Boro;  
Tuckerton Boro MUA;  
West Cape May Boro;  
Brick Township MUA;  
Swedesboro Boro.

The unexpended balances from the canceled loans are returned to the "Water Supply Fund."

13. This act shall take effect immediately.

Approved August 9, 2007.