

CHAPTER 68

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") established pursuant to section 1 of P.L.1988, c.133 and renamed pursuant to section 2 of P.L.1998, c.84 an amount equal to the Federal fiscal year 2008 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 established pursuant to section 1 of P.L.1998, c.84 an amount equal to the Federal fiscal year 2008 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) There is appropriated to the Department of Environmental Protection the unappropriated balances 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) 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.

(6) There is appropriated to the Department of Environmental Protection the unappropriated balances 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 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) There is appropriated to the Department of Environmental Protection the unappropriated balances from the Drinking Water State Revolving Fund for the purposes of drinking water project loans.

(8) There is appropriated to the Department of Environmental Protection such sums as may be or become available on or before June 30, 2008 as repayments of drinking water project loans 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.

(9) Of the sums appropriated to the Department of Environmental Protection from the "Water Supply Fund" 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 any unexpended balances and any repayments of loans therefrom in 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.

(10) Of the sums appropriated to the Department of Environmental Protection from the "1992 Wastewater Treatment Fund" 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.

(11) Of the sums appropriated to the Department of Environmental Protection from the "2003 Water Resources and Wastewater Treatment Fund" pursuant to P.L.2004, c.109, 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.

(12) Of the sums appropriated to the Department of Environmental Protection from the "2003 Water Resources and Wastewater Treatment Fund" pursuant to P.L.2007, c.139, 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.

(13) 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," the "2003

Water Resources and Wastewater Treatment Fund" or the Drinking Water State Revolving Fund, as appropriate, pursuant to paragraph (6) of subsection c. of section 1 of P.L.2008, c.67, 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, sections 1 and 2 of P.L.2006, c.68, or sections 1 and 2 of P.L.2007, c.139, 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, section 6 of P.L.2006, c.68, and section 6 of P.L.2007, c.139, 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 2008 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:

Project Number	Project Sponsor	Estimated Allowable Loan Amount
340305-01-1	Barrington Boro	\$ 128,500
340170-02-1	Cinnaminson SA	\$ 395,000
340679-01-2	Linden City	\$ 698,500
340023-01-1	Long Beach Township	\$ 450,500
340051-01/02-1	City of Bayonne Redevelopment Authority	\$ 8,775,000
340386-04-1/768- 03-1	Bergen County UA	\$ 22,908,000
340838-02-1	Evesham Township MUA	\$ 1,503,500
340928-05-1	Jersey City MUA	\$ 2,708,250
340372-27-1	Ocean County UA	<u>\$ 747,500</u>
	TOTAL	<u>\$ 38,314,750</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 2003, 2004, 2005 and 2006 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:

Project Number	Project Sponsor	Estimated Allowable Loan Amount
0717001- 001/002/003/004-1	Orange City	\$ 4,809,000
0408001-009/012-1	Camden City	\$ 1,895,250
0221001-001/002-1	Garfield City	\$ 1,035,000
0324001-005-2	Mount Laurel Township	\$ 2,292,863
0906001-002-1	Jersey City MUA	\$ 2,328,750
0714001-003/004-1	Newark City	\$ 8,442,750

1216001-004-1	Perth Amboy City	<u>\$ 57,500</u>
	TOTAL	<u>\$20,861,113</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 1998, 2000, 2004, 2005 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 2009 Clean Water Project Priority List":

Project Number	Project Sponsor	Estimated Allowable Loan Amount
340862-02	Westwood Boro	\$ 1,725,000
340132-01	Willingboro MUA	\$ 2,909,500
343034-04	Readington Township	\$ 10,985,250
343072-02	High Bridge Boro	\$ 4,226,250
340815-13	Newark City	\$ 6,393,000
340850-03	Paterson City	\$ 15,496,500
340097-02	Middletown Township SA	\$ 8,772,000
340386-07	Bergen County UA	\$ 2,047,500
340952-11	North Hudson SA	\$ 22,901,250
340372-32	Ocean County UA	\$ 1,963,000
340372-33	Ocean County UA	\$ 654,500
340952-10	North Hudson SA	\$ 8,581,500
340536-06	East Windsor MUA	\$ 7,057,500
340346-04	Medford Township	\$ 4,054,500
340902-03	Gloucester County UA	\$ 748,500
340128-01	Western Monmouth UA	\$ 4,113,500
340366-08	Camden City	\$ 2,903,250
340123-01	Logan Township MUA	\$ 20,000,000
	Princeton Boro	
340656-05A	(Princeton Sewer Operating Committee)	\$ 1,162,500
	Princeton Township	
340656-05B	(Princeton Sewer Operating Committee)	\$ 1,162,500
340170-03	Cinnaminson SA	\$ 1,444,500
340712-07	Burlington City	\$ 4,546,500
340372-34	Ocean County UA	\$ 5,889,000
340372-35	Ocean County UA	\$ 392,500
340902-04	Gloucester County UA	\$ 1,151,000

Project Number	Project Sponsor	Estimated Allowable Loan Amount
340364-04	Gloucester Township MUA	\$ 1,501,000
340115-01	Haddon Township	\$ 3,671,500
340873-03	Clinton Township SA	\$ 869,500
340363-04	Runnemede Boro	\$ 985,500
340871-03	Gibbsboro Boro	\$ 1,054,500
340311-02	Ship Bottom Boro	\$ 424,000
340640-06	Camden County MUA	\$ 18,441,000
340809-14	Atlantic County UA	\$ 2,523,500
340809-11	Atlantic County UA	\$ 6,224,250
340051-04	City of Bayonne Redevelopment Authority	\$ 4,825,500
340119-01	Jersey City Redevelopment Agency	\$ 5,136,000
340097-01	Middletown Township	\$ 4,255,000
340364-05	Gloucester Township MUA	\$ 748,500
340969-06	Berkeley Township	\$ 6,304,500
340073-02	Leonia Boro	\$ 318,000
340363-05	Runnemede Boro	\$ 208,500
340446-10	Bergen County UA (Edgewater Colony)	\$ 1,200,000
340112-01	Ocean Township	\$ 500,000
342005-02	Linden City	\$ 560,000
343054-05	NJ Water Supply Authority	\$ 1,800,000
340815-12	Newark City	\$ 9,078,750
340098-01	Harrison Town (Metro Center)	\$ 39,411,000
340094-01	Hudson County Improvement Authority	\$ 4,947,750
340098-02	Harrison Town (Harrison Commons)	\$ 5,963,250
340124-01	Union County Improvement Authority	\$ 12,713,500
340435-07	Perth Amboy Redevelopment Agency	\$ 33,360,750
340923-09	Hackensack City	\$ 2,290,500
342011-01	Bellmawr Boro	<u>\$ 4,541,000</u>
TOTAL		<u>\$315,138,250</u>

b. The following environmental infrastructure projects shall be known and may be cited as the "State Fiscal Year 2009 Drinking Water Project Priority List":

Project Number	Project Sponsor	Estimated Allowable Loan Amount
0415002-006	Aqua NJ-Blackwood	\$ 598,000
0415002-005	Aqua NJ-Blackwood	\$ 598,000
1009001-004	Flemington Boro	\$ 579,500
1009001-003	Flemington Boro	\$ 869,500
1514002-007	Lakewood Township MUA	\$ 687,820
0248001-013	Ramsey Boro	\$ 172,500

Project Number	Project Sponsor	Estimated Allowable Loan Amount
1007002-001	Rosemont Water Company	\$ 97,000
1001301-001	VES Corporation Valley View Manor	\$ 22,000
0824001-001	Aqua NJ-Woolwich	\$ 3,099,500
1321001-001	Keansburg Boro	\$ 1,368,500
1712001-001	Salem City	\$ 4,812,000
1514002-006	Lakewood Township MUA	\$ 5,807,500
0414001-001	Gloucester City	\$ 5,147,500
1514002-002	Lakewood Township MUA	\$ 1,207,500
0904001-003	Harrison Town (Harrison Commons)	\$ 608,250
0904001-002	Harrison Town (Metro Center)	\$ 2,205,750
	Jersey City MUA/New Jersey City	
0906001-005	University	\$ 512,250
1528001-001	Ship Bottom Boro	\$ 676,500
1209002-009	Old Bridge MUA	\$ 854,500
1504001-004	Beachwood Boro	\$ 230,000
1514002-008	Lakewood Township MUA	\$ 104,686
1514002-009	Lakewood Township MUA	\$ 522,500
1514002-010	Lakewood Township MUA	\$ 606,000
1225001-011	Middlesex Water Company	\$ 2,012,500
0810004-001	Mantua Township MUA	\$ 2,300,000
1212001-001	Milltown Boro	\$ 1,151,000
1111001-007	Trenton City	\$14,757,750
1209002-008	Old Bridge MUA	\$ 1,268,500
1504001-005	Beachwood Boro	\$ 230,000
1504001-003	Beachwood Boro	\$ 1,265,000
1530004-011	Stafford Township	\$ 138,000
1503001-001	Beach Haven Boro	\$ 562,000
1003001-001	Bloomsbury Boro	\$ 122,500
1530004-005	Stafford Township	\$ 3,778,500
1101002-003	East Windsor MUA	\$ 1,600,000
1101002-002	East Windsor MUA	\$ 3,000,000
1101002-001	East Windsor MUA	<u>\$ 5,500,000</u>
	TOTAL	<u>\$ 69,073,006</u>

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.2008, c.67;

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.2008, c.67, 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, 2009, 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.2008, c.67, 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, P.L.2007, c.139 or P.L.2008, c.68 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, P.L.2007, c.140 or P.L.2008, c.67, 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. This act shall take effect immediately.

Approved August 14, 2008.