

## CHAPTER 43

**AN ACT** appropriating moneys to the Department of Environmental Protection for the purpose of making grants, zero interest loans, or principal forgiveness loans to project sponsors to finance a portion of the costs 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 State Revolving Fund" established pursuant to section 1 of P.L.2009, c.77, an amount equal to the federal fiscal year 2012 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 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 2012 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 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.

The Department of Environmental Protection is authorized to transfer from the Drinking Water State Revolving Fund to the Clean Water State Revolving Fund an amount up to the maximum amount authorized to be transferred pursuant to the Federal Clean Water Act to meet present and future needs for the financing of eligible clean 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 "Clean Water State Revolving Fund" and any repayments of loans and interest therefrom, for the purposes of clean water project loans and providing the State match as available on or before June 30, 2013, 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 "Wastewater Treatment Fund" established pursuant to section 15 of the "Wastewater Treatment Bond Act of 1985" (P.L.1985, c.329), and any repayments of loans and interest therefrom, as available on or before June 30, 2013, 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 "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), and any repayments of loans and interest therefrom, as available on or before June 30, 2013, 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 "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), and any repayments of loans and interest therefrom, as available on or before June 30, 2013, 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 unappropriated balances from the Drinking Water State Revolving Fund for the purposes of drinking water project loans and any repayments of loans and interest therefrom, that are or may become available on or before June 30, 2013.

(9) There is appropriated to the Department of Environmental Protection such sums as may be needed from loan repayments and interest earnings from the "Water Supply Fund" for the "Drinking Water State Revolving Fund (DWSRF) Match Accounts" contained within such fund for the purpose of 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 "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 or become available on or before June 30, 2013, and any repayments of loans and interest therefrom, as may be necessary to supplement the sums appropriated from 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 clean water projects pursuant to the Federal Safe Drinking Water Act.

(11) There is appropriated to the Department of Environmental Protection such sums as may be or become available on or before June 30, 2013, as repayments of drinking water project loans and any interest therefrom 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) 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 and interest therefrom as may be or become available on or before June

30, 2013, in such amounts as needed to the Drinking Water State Revolving Fund accounts contained within the Water Supply Fund established for the purposes of providing 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) 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 and interest therefrom as may be or become available on or before June 30, 2013, in such amounts as needed to the Clean Water State Revolving Fund accounts contained within the 1992 Wastewater Treatment Fund for the purposes of providing 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.

(14) 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, and P.L.2007, c.139, the department is authorized to transfer any unexpended balances and any repayments of loans and interest therefrom as may be or become available on or before June 30, 2013, in such amounts as needed to the Clean Water State Revolving Fund accounts contained within the 2003 Water Resources and Wastewater Treatment Fund for the purposes of providing 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.

(15) There is appropriated to the Department of Environmental Protection the sums deposited by the New Jersey Environmental Infrastructure Trust into the "Clean Water State Revolving Fund," 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" and the Drinking Water State Revolving Fund, as appropriate, pursuant to paragraph (6) of subsection c. of section 1 of P.L.2012, c.38, as available on or before June 30, 2013, for the purposes of providing 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 and principal forgiveness financing 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, P.L.2009, c.77, 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 and principal forgiveness financing 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, up to the individual amounts indicated and in the priority stated, provided:

(1) a maximum of \$10 million shall be issued to Barnegat Bay Watershed green infrastructure projects as provided in subsection a. of section 3 of this act, addressing projects in the priority stated to the extent there are sufficient eligible project applications, wherein principal forgiveness shall be a minimum of 25 percent of the fund loan amount per project sponsor.

The \$10 million shall be made available for the highest ranked projects in ranked order and shall consist of at least 25 percent principal forgiveness loans, except that any such amounts may be reduced if a project fails to meet the requirements of section 4 or 5 of this act, or by the Commissioner of Environmental Protection pursuant to section 6 of this act;

(2) a maximum of \$30 million shall be issued to finance clean water projects at the site of a remediation and redevelopment project as provided in subsection a. of section 3 of this act, addressing projects in the priority stated, to the extent there are sufficient eligible project applications; and

(3) a minimum of 10 percent of the 2012 Clean Water State Revolving Fund capitalization grant or an equivalent amount of Clean Water State Revolving Funds shall be issued to projects in subsection a. of section 3 of this act addressing green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities allocated to projects in the priority stated, to the extent there are sufficient eligible project applications.

c. The department is authorized to make zero interest and principal forgiveness financing loans to or on behalf of the project sponsors for the environmental infrastructure projects listed in subsection b. of section 3 of this act for drinking water projects, up to the individual amounts indicated and in the priority stated, provided:

(1) a maximum of 20 percent of the 2012 Drinking Water State Revolving Fund capitalization grant may be issued to projects addressing green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities allocated to projects in the priority stated, to the extent there are sufficient eligible project applications;

(2) a maximum of 30 percent of the 2012 Drinking Water State Revolving Fund capitalization grant shall be issued to projects for principal forgiveness financing loans, wherein principal forgiveness to drinking water systems servicing more than 500 residents shall not exceed the lesser of 20 percent or \$2.5 million of the combined trust loan amount and fund loan amount per project sponsor or wherein principal forgiveness to drinking water systems servicing fewer than 500 residents shall not exceed the lesser of 50 percent or \$5 million of the estimated total loan amount per project sponsor; and

(3) a minimum of \$3 million from the 2012 Drinking Water State Revolving Fund capitalization grant shall be issued to finance projects for drinking water systems serving populations less than 10,000, to the extent there are sufficient eligible project applications, provided, however, a maximum of \$5 million from the 2012 Drinking Water State Revolving Fund capitalization grant may be issued as principal forgiveness financing loans to projects for drinking water systems serving populations less than 10,000, in which principal forgiveness shall not exceed 50% of the estimated total loan amount per project sponsor.

Any such amounts may be reduced if a project fails to meet the requirements of section 4 or 5 of this act, or by the Commissioner of Environmental Protection pursuant to section 6 of this act.

d. The department is authorized to make zero interest and principal forgiveness financing 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, sections 1 and 2 of P.L.2007, c.139, sections 1 and 2 of P.L.2008, c.68, sections 1 and 2 of P.L.2009, c.102, sections 1 and 2 of P.L.2010, c.63, and sections 1 and 2 of P.L.2011, c.93, including amounts resulting from the low bid and 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, section 6 of P.L.2007, c.139, section 6 of P.L.2008, c.68, section 7 of P.L.2009, c.102, section 6 of P.L.2010, c.63 and section 6 of P.L.2011, c.93, and from any repayments of loans and interest from the "Clean Water State Revolving Fund," the "Wastewater Treatment Fund," the "Water Supply Fund," the "1992 Wastewater Treatment Fund," the "2003 Water Resources and Wastewater Treatment Fund," and amounts deposited therein during State fiscal year 2012 and State fiscal year 2013 pursuant to the provisions of section 16 of P.L.1985, c.329, and section 2 of P.L.2009, c.77 and any amendatory and supplementary acts thereto, including any Clean Water State Revolving Fund Accounts contained within the "Wastewater Treatment Fund," and from any repayment of loans and interest 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 Sponsor</b>	<b>Project Number</b>	<b>Estimated DEP Loan Amount</b>	<b>Estimated Total Allowable Loan Amount</b>
Caldwell Borough	S340523-04-1	\$664,500	\$886,000
North Bergen MUA	S340399-21-1	\$2,484,750	\$3,313,000
North Hudson SA	S340952-12-1	\$3,385,500	\$4,514,000
Milltown Borough	S340102-02-1	\$591,000	\$788,000
Newark City	S340815-05-1	\$7,587,750	\$10,117,000
Passaic Valley SC	S340689-03-1	\$14,485,500	\$19,314,000

Passaic Valley SC	S340689-10-1	\$10,015,500	\$13,354,000
Camden County MUA	S340640-10-1	\$7,875,000	\$10,500,000
<b>Total</b>	<b>8 Projects</b>	<b>\$47,089,500</b>	<b>\$62,786,000</b>

(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 of Environmental Protection in State fiscal years 2006, 2007, 2008, 2010, and 2012 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 or section 5 of this act.

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

b. The Department of Environmental Protection is authorized to adjust the allowable Department of Environmental Protection loan amount for projects authorized in this section to between 25% and 75% of the total allowable loan amount.

3. a. The following environmental infrastructure projects shall be known and may be cited as the "State Fiscal Year 2013 Clean Water Project Priority List":

<b>Project Sponsor</b>	<b>Project Number</b>	<b>Estimated DEP Loan Amount</b>	<b>Estimated Total Allowable Loan Amount</b>
Stafford Township	SB344100-02	\$742,500	\$990,000
Ocean County	SB344080-02	\$3,816,750	\$5,089,000
Ocean Gate Borough	SB344180-01	\$1,542,000	\$2,056,000
Newark City	S340815-21	\$8,926,500	\$11,902,000
Elizabeth City	S340942-13	\$8,851,500	\$11,802,000
Elizabeth City	S340942-14	\$2,286,000	\$3,048,000
Jersey City MUA	S340928-09	\$2,087,250	\$2,783,000
Jersey City MUA	S340928-10	\$2,568,000	\$3,424,000
Jersey City MUA	S340928-11	\$3,236,250	\$4,315,000
Ocean County UA	S340372-49	\$1,311,750	\$1,749,000
Camden County MUA	S340640-13	\$4,180,500	\$5,574,000
Warren County MUA (Pequest)	S340454-04	\$11,853,750	\$15,805,000
Morris Township	S340724-05	\$4,884,750	\$6,513,000
Hanover SA	S340388-05	\$7,587,000	\$10,116,000
Cinnaminson SA	S340170-06	\$1,614,750	\$2,153,000
Evesham MUA	S340838-04	\$1,938,750	\$2,585,000
Passaic Valley SC	S340689-20	\$3,902,250	\$5,203,000
Bergen County UA	S340386-11	\$12,575,250	\$16,767,000
Atlantic County UA	S340809-22	\$1,197,000	\$1,596,000
Gloucester County UA	S340902-09	\$2,508,750	\$3,345,000
Maple Shade Township	S340710-08	\$1,496,250	\$1,995,000
Passaic Valley SC	S340689-21	\$882,000	\$1,176,000
Asbury Park City	S340883-05	\$1,866,000	\$2,488,000
Cinnaminson SA	S340170-04	\$1,341,750	\$1,789,000
Ocean Township	S340112-03	\$787,500	\$1,050,000
Atlantic Highlands Borough	S340857-03	\$2,355,000	\$3,140,000
Cranford Township	S340858-01	\$743,250	\$991,000
Middlesex County UA	S340699-10	\$7,698,750	\$10,265,000

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Ocean County UA	S340372-51	\$4,224,750	\$5,633,000
Ocean County UA	S340372-52	\$212,250	\$283,000
Gloucester County UA	S340902-10	\$317,250	\$423,000
Toms River Township MUA	S340145-03	\$1,981,500	\$2,642,000
Toms River Township MUA	S340145-04	\$2,505,000	\$3,340,000
Perth Amboy City	S340435-09	\$2,529,750	\$3,373,000
Jackson Township MUA	S340953-03	\$614,250	\$819,000
National Park Borough	S340419-01	\$1,285,500	\$1,714,000
Ocean Gate Borough	S340151-01	\$264,750	\$353,000
Point Pleasant Borough	S340428-01	\$1,596,750	\$2,129,000
Ocean County UA	S340372-48	\$13,863,000	\$18,484,000
Ocean County UA	S340372-50	\$744,000	\$992,000
Watchung Borough	S340823-02	\$982,500	\$1,310,000
Clifton City	S340844-03	\$3,897,000	\$5,196,000
Harrison Township	S340362-06	\$14,439,000	\$19,252,000
Middletown Township	S340097-01	\$2,906,250	\$3,875,000
Gloucester Township	S340364-08	\$552,750	\$737,000
NJ Water Supply Authority	S340421-01	\$23,328,000	\$31,104,000
Linwood City	S340217-01	\$618,000	\$824,000
Highlands Borough	S340901-03	\$3,379,500	\$4,506,000
Bellmawr Borough	S342011-02	\$7,365,750	\$9,821,000
NJ Water Supply Authority	S343054-09	\$2,047,500	\$2,730,000
New Jersey City University	S340111-02	\$12,825,000	\$17,100,000
Carteret Borough	S340939-07	\$10,424,250	\$13,899,000
Cumberland County UA	S340550-06	\$1,511,250	\$2,015,000
Stafford Township	S344100-03	\$3,685,500	\$4,914,000
Seaside Park Borough	S344200-02	\$1,059,750	\$1,413,000
Bay Head Borough	S344120-02	\$204,750	\$273,000
Long Beach Township	S344170-02	\$507,000	\$676,000
Winslow Township	S340895-08	\$1,460,250	\$1,947,000
Secaucus MUA	S340154-02	\$315,000	\$420,000
Burlington Township	S340712-10	\$953,250	\$1,271,000
Gloucester County UA	S340902-11	\$375,000	\$500,000
Rockaway Valley RSA	S340821-06	\$5,134,500	\$6,846,000
Oradell Borough	S340835-01	\$959,250	\$1,279,000
Middlesex County UA	S340699-11	\$15,222,750	\$20,297,000
Old Bridge Township	S340945-12	\$7,879,500	\$10,506,000
Fanwood Borough	S340429-01	\$1,698,000	\$2,264,000
<b>Total</b>	<b>66 Projects</b>	<b>\$258,651,750</b>	<b>\$344,869,000</b>

b. The following environmental infrastructure projects shall be known and may be cited as the "State Fiscal Year 2013 Drinking Water Project Priority List":

Project Sponsor	Project Number	Estimated DEP Loan Amount	Estimated Total Allowable Loan Amount
Vineland City	0614003-010	\$2,979,750	\$3,973,000
Sea Village Marina	0108021-002	\$504,000	\$672,000
Newark City	0714001-016	\$7,023,750	\$9,365,000
Newark City	0714001-017	\$1,109,250	\$1,479,000
Newark City	0714001-015	\$8,418,750	\$11,225,000
Jersey City/Jersey City MUA	0906001-008	\$6,524,250	\$8,699,000
Jersey City/Jersey City MUA	0906001-007	\$10,897,500	\$14,530,000
Manchester Utilities Authority	1603001-011	\$570,750	\$761,000
Southeast Monmouth MUA	1352005-005	\$6,615,750	\$8,821,000
Aqua NJ - Southern	0415002-008	\$1,096,500	\$1,462,000
Manchester Utilities Authority	1603001-006	\$1,119,750	\$1,493,000
Manchester Utilities Authority	1603001-012	\$232,500	\$310,000

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Collingswood Borough	0412001-002	\$262,500	\$350,000
Jersey City MUA	0906001-006	\$12,860,250	\$17,147,000
New Jersey City U./Jersey City MUA	0906001-005	\$716,250	\$955,000
Ocean Township	1520001-004	\$669,750	\$893,000
Fountainhead Properties, Inc.	1511013-001	\$182,250	\$243,000
Collingswood Borough	0412001-003	\$654,750	\$873,000
Ventnor City	0122001-001	\$1,575,000	\$2,100,000
Woodbury City	0822001-001	\$2,638,500	\$3,518,000
Evesham MUA	0313001-001	\$1,401,750	\$1,869,000
Fountainhead Properties, Inc.	1511013-002	\$57,000	\$76,000
Manchester Utilities Authority	1603001-013	\$190,500	\$254,000
Middlesex Water Company	1225001-014	\$3,150,000	\$4,200,000
Clayton Borough	0801001-001	\$3,000,750	\$4,001,000
Millville City	0610001-002	\$2,953,500	\$3,938,000
Independence MUA	2112001-001	\$196,500	\$262,000
Collingswood Borough	0412001-004	\$829,500	\$1,106,000
Collingswood Borough	0412001-005	\$436,500	\$582,000
Hampton Borough	1013001-001	\$358,500	\$478,000
Jackson Township MUA	1511001-009	\$591,000	\$788,000
Fountainhead Properties, Inc.	1511013-004	\$176,250	\$235,000
Fountainhead Properties, Inc.	1511013-003	\$18,000	\$24,000
Pine Beach Borough	1522001-001	\$543,750	\$725,000
Marlboro Township	1328002-001	\$5,772,750	\$7,697,000
Pine Beach Borough	1522001-002	\$353,250	\$471,000
Hammonton Town	0113001-005	\$1,630,500	\$2,174,000
Merchantville-Pennsauken Water Commission	0424001-007	\$2,008,500	\$2,678,000
Flemington Borough	1009001-006	\$1,111,500	\$1,482,000
Flemington Borough	1009001-007	\$555,750	\$741,000
Matawan Borough	1329001-005	\$740,250	\$987,000
Flemington Borough	1009001-008	\$126,000	\$168,000
Montclair Township	0713001-008	\$1,573,500	\$2,098,000
<b>Total</b>	<b>43 Projects</b>	<b>\$94,427,250</b>	<b>\$125,903,000</b>

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

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

a. The Commissioner Environmental Protection 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 estimated DEP allowable loan amount shall not exceed 75% of the total allowable loan amount of the environmental infrastructure facility for projects listed in subsection a. of section 2 of this act, and in subsections a. and b. of section 3 of this act. The loan amount for supplemental loans shall not exceed that percentage of the allowable project cost of the project's initial program loan;

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 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.2012, c.38, 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, 2013, 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 or low bid 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 of Environmental Protection pursuant thereto, and the provisions of the Federal Clean Water Act or the Federal Safe Drinking Water Act, and any amendatory and supplementary acts thereto, 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 Clean Water State Revolving Fund pursuant to section 1 and 2 of P.L.2009, c.77 and any amendatory and supplementary acts thereto, 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.2012, c.38, 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 Clean Water State Revolving Fund pursuant to section 1 and 2 of P.L. 2009, c.77 and any amendatory and supplementary acts thereto, 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, P.L.2008, c.68, P.L.2009, c.102, P.L.2010, c.63, P.L.2011, c.93, or P.L.2012, c.43 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, P.L.2008, c.67, P.L.2009, c.101, P.L.2010, c.62, P.L.2011, c.95, or P.L.2012, c.38, 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 Clean Water State Revolving Fund, 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 and interest deposited in any account, on or before June 30, 2013, including the "Clean Water State Revolving Fund," the "1992 Wastewater Treatment Fund," the "Water Supply Fund," the "Stormwater Management and Combined Sewer Overflow Abatement Fund," "2003 Water Resources and Wastewater Treatment 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 or the Interim Financing Program Fund 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 7, 2012.