

58:14-35

LEGISLATIVE HISTORY CHECKLIST

NJSA 58:14-35

Laws of 1976 Chapter 125

Bill No. S1343

Sponsor(s) Scardino, Feldman, Garramone

Date Introduced April 5, 1976

Committee: Assembly State Gov't., Federal & Interstate Relations and Veterans Affairs  
Senate State Gov't., Federal & Interstate Relations and Veterans Affairs

Amended during passage Yes  No

Amendments during passage denoted by asterisks.

Date of passage: Assembly Nov. 9, 1976

Senate May 13, 1976

Date of approval December 16, 1976

Following statements are attached if available:

Sponsor statement Yes  No

Committee Statement: Assembly Yes  No

Senate Yes  No

Fiscal Note Yes  No

Veto message Yes  No

Message on signing Yes  No

Following were printed:

Reports Yes  No

Hearings Yes  No

For requirements made of participating municipalities, see:

974.905 Passaic Valley Sewerage Commission.  
p261 Monthly report.  
August-Sept., 1976 (p.1-2 enclosed)

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CHAPTER 125 LAWS OF N. J. 19 74  
APPROVED 12-14-74

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**SENATE, No. 1343**

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# STATE OF NEW JERSEY

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INTRODUCED APRIL 5, 1976

By Senators SCARDINO, FELDMAN and GARRAMONE

Referred to Committee on State Government, Federal and  
Interstate Relations and Veterans Affairs

AN ACT concerning the Passaic Valley Sewerage District and  
supplementing chapter 14 of Title 58 of the Revised Statutes.

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

1 1. The commissioners shall have the power to adopt rules and  
2 regulations *\*in conformity with requirements imposed by the*  
3 *Federal Government as a condition of Federal assistance,\** which  
4 shall be binding upon all contracting municipalities and lessees  
5 delivering or discharging sewage into the system of the commis-  
6 sioners. Such rules and regulations may include pretreatment re-  
7 quirements, requirements for the adoption of sewer use ordinances  
8 and of user charge and industrial cost recovery systems in accord-  
9 ance with applicable Federal Statutes and the implementing  
10 regulations promulgated by the U.S. Environmental Protection  
11 Agency, and requirements concerning infiltration-inflow, as well as  
12 such other rules and regulations as the commissioners may deem to  
13 be necessary or proper for the operation of the system or to apply  
14 for and receive financial assistance from the Federal Government  
15 or any agency thereof for the construction, acquisition or rehabilita-  
16 tion of waste treatment works as part of the system, and to enter  
17 any agreement with the Federal Government for the purpose of  
18 obtaining such financial assistance.

1 2. This act shall take effect immediately.

SENATE, No. 1343

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STATEMENT

This bill would authorize the Passaic Valley Sewerage Commis-  
sioners to adopt those rules and regulations required to qualify for  
Federal assistance.

FROM THE OFFICE OF THE GOVERNOR

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DECEMBER 16, 1976

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

WES DENMAN 2994

Governor Brendan Byrne today announced state approval of a \$150.6 million federal sewer grant application for the Passaic Valley Sewerage Commission (PVSC) to upgrade wastewater treatment and improve water quality in Upper New York Bay and the Atlantic Ocean.

The application now goes to the federal Environmental Protection Agency for final approval and the grant award.

The Passaic Valley improvement is the largest among 61 priority projects announced this week for which Byrne asked prompt certification by the state Department of Environmental Protection (DEP). New Jersey plans to commit \$280 million in remaining federal sewer grant money by the end of December.

During a tour today of the PVSC facility in Newark, the Governor also signed Senate Bill 1343 which gives the Passaic Valley sewerage commissioners legal mandate to require municipalities to regulate by ordinance the type of industrial effluent fed into the system.

This law helps clear the way for the PVSC to embark upon a \$380 million upgrading of its treatment plant which, when completed over the next four years, will remove about 93 percent of the pollutants from the effluent, as compared with 28 percent removal at the present time.

"The actions we are taking here today dramatize New Jersey's major commitment to clean up the waters in the Northeastern metropolitan areas," Byrne said, "and the project will create about 22,000 jobs."

Byrne noted that today's \$150.6 million grant approval is the second to the PVSC in the past six months. In June, the EPA gave a \$142 million grant based on DEP approval.

The federal EPA will provide about \$290 million for the overall \$380 million construction project with the state DEP supplying about \$30 million,

(more)

or an eight percent grant, from the 1976 Clean Waters Bond Issue. The PVSC will make up the balance of the cost.

The PVSC system treats the largest amount of wastewater in the state. It serves 1.2 million persons and more than 7,000 industrial and commercial customers in 29 municipalities. The system discharges up to 300 million gallons per day into the New York estuary, about 25 percent of the total wastewater flow in the state.

The latest grant approval will help finance construction of facilities for biological treatment, using pure oxygen (a recent innovation). The facilities also will produce the liquid oxygen needed for the new treatment system. The improvements also include new sludge processing capability.

The PVSC also will be initiating studies for land based alternatives to its ocean dumping of sludge.

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AUGUST-SEPTEMBER SPECIAL REPORT #1  
MODEL SEWER ORDINANCE  
FOR MUNICIPALITIES DISCHARGING  
INTO THE PVSC SYSTEM

As everyone knows, the treatment facilities of the PVSC must be updated to comply with the Federal standards established under P.L. 92-500. Over the last several years the Commissioners have taken the necessary action which will result in the construction of new secondary treatment facilities.

The costs for such facilities are very great. Our estimates are in the area of \$500,000,000. On those portions of the construction plan which have already been approved, we have been fortunate to obtain commitments of 75% Federal funding. However the Federal funds which are available are subject to grant conditions and included in the grant conditions is the Federal requirement, as a prerequisite to our receiving the Federal funds, that sewer use ordinances must be adopted by all of the municipalities serviced by the PVSC's treatment plant.

Apart from the requirements of the grant conditions, under the provisions of the Federal Water Pollution Control Act of 1972, a new system of discharge permits was initiated. In order to continue the PVSC discharge into New York Harbor, PVSC must comply with the terms of the discharge permit issued by the Federal Government. Included in the conditions of the PVSC discharge permit (NJ0021016) is the requirement for the adoption of sewer use ordinances. It is to be noted that the Federal statute provides that any violation of a discharge permit condition constitutes a civil and criminal offense.

The Commissioners had in the past conducted conferences with its user municipalities to keep them apprised of the Federal requirements. At a meeting held May 20, 1976 we notified these municipalities that the Commissioners would have a model ordinance prepared by its staff in order to assist them in adopting the required ordinance.

We prepared such an ordinance, which incorporated all of the requirements of the United States Environmental Protection Agency as well as the New Jersey Department of Environmental Protection, and submitted it to the United States Environmental Protection Agency as well as to the New Jersey Department of Environmental Protection, which in turn, have commented upon and finally approved it.

This proposed ordinance, which worked in conjunction with PVSC Rules and Regulations Concerning Sewer Connection Permits (also included at the end of this report for reference), was sent to each user municipality on September 29, 1976 for the purpose of having the ordinance introduced and adopted by them.

974.905

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PASSAIC VALLEY SEWERAGE COMMISSION

MONTHLY REPORT.

AUGUST-SEPT. 1976 (p. 1-2 ENCLOSED)

Since, not only is PVSC required to make periodic reports to the USEPA of non-compliance with permit conditions, but the flow of Federal Funding for the PVSC project would be interrupted by non-compliance with the grant conditions, PVSC requested that we be informed within 30 days of the name of the individual within each municipality that would act as liaison between that municipality and the PVSC and further, a timetable concerning the adoption of the ordinance.

This, of course, is important since any interruption in the Federal flow of such a large amount of money would require the PVSC to impose the costs directly upon the municipalities, since the PVSC would have construction contracts, which must be paid.

The proposed ordinance is reproduced in the following pages together with a copy of PVSC's Regulations Concerning Sewer Connection Permits and a copy of the Waste Effluent Survey form.