

58:10A-7.1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 58:10A-7.1

(Waste discharges--prohibit into ocean after 1-1-90)

LAWS OF: 1989

CHAPTER: 119

Bill No: S128

Sponsor(s): Russo

Date Introduced: Pre-filed

Committee: Assembly: Environmental Quality

Senate: Energy and Environmental

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: Assembly: May 15, 1989

Senate: May 23, 1988

Date of Approval: June 30, 1989

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: Yes

Following were printed:

Reports: No

Hearings: No

(over)

See newspaper clippings--attached:

"Assembly approves ocean discharge ban," 5-16-89 Asbury Park Press

"Kean signs measure to cork Ciba - Geigy..." 7-1-89 Home News

"Kean signs bill to halt wastewater pumping..."7-1-89 Trenton Times

"Bill to close Ciba - Geigy pipeline fails," 3-21-89 Asbury Park Press

[THIRD REPRINT]

SENATE, No. 128

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Senator RUSSO

1 AN ACT concerning discharges into the waters of the State, and
supplementing Title 58 of the Revised Statutes.

3

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

1. The Legislature finds and declares that the ocean waters
7 of the State constitute one of the State's most precious and
ecologically delicate natural resources; that the preservation
9 and enhancement of the ocean waters of the State is of
paramount importance and is in the interest of the public health
11 and safety; and that the direct discharge of industrial wastes
into the ocean waters of the State imperils the ecological
13 integrity of the marine environment and presents a threat to the
public health and safety.

15 The Legislature therefore determines that it is in the public
interest to prohibit the direct discharge of industrial wastes into
17 the ocean waters of the State.¹

¹[1.] 2.¹ After December 31, ³[²[1989] 1990²] 1991³, the
19 department may not issue a permit to any private, commercial,
or industrial applicant for the discharge of any solid, semi-solid,
21 or liquid wastes into the ocean waters of the State, the
provisions of any other law, or rule or regulation to the contrary
23 notwithstanding. Any permit issued by the department for the
discharge of any such waste prior to January 1, ³[²[1990] 1991²]
25 1992³ shall expire on January 1, ³[²[1990] 1991²] 1992³, the
provisions of any such permit to the contrary notwithstanding.
27 The provisions of this act shall not apply to permits applied for,
or issued to, municipal treatment works ¹or seafood processing
29 facilities. As used in this act, "ocean waters" means those
waters of the open seas lying seaward of the base line from
31 which the territorial sea is measured, as provided for in the

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SEN committee amendments adopted May 19, 1988.

² Assembly AEQ committee amendments adopted June 2, 1988.

³ Assembly floor amendments adopted May 15, 1989.

1 Convention on the Territorial Sea and the Contiguous Zone (15
2 UST 1606; TIAS 5639)¹.

3 13. The Commissioner of the Department of Labor shall
4 establish a special program to provide job replacement and
5 relocation assistance, and job retraining to any person who
6 suffers a loss of employment as a direct result of the
7 implementation of this act.¹

8 ¹[2.] 4.¹ This act shall take effect immediately.

9

11

ENVIRONMENT

Air and Water Pollution

13

Prohibits waste discharges into ocean waters as of January 1,

15

1991.

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Senator RUSSO

1 AN ACT concerning discharges into the waters of the State, and
supplementing Title 58 of the Revised Statutes.

3

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

1. After December 31, 1989, the department may not issue a
7 permit to any private, commercial, or industrial applicant for
the discharge of any solid, semisolid, or liquid wastes into the
9 ocean waters of the State, the provisions of any other law, or
rule or regulation to the contrary notwithstanding. Any permit
11 issued by the department for the discharge of any such waste
prior to January 1, 1990 shall expire on January 1, 1990, the
13 provisions of any such permit to the contrary notwithstanding.
The provisions of this act shall not apply to permits applied for,
15 or issued to, municipal treatment works.

2. This act shall take effect immediately.

17

19 STATEMENT

21 This bill require the Department of Environmental Protection
to terminate the issuance of all permits to private commercial
23 and industrial concerns for the discharge of all wastes into the
ocean waters of the State as of January 1, 1990. Any such
25 permit issued by the department prior to that date would expire
on that date, notwithstanding any provisions of the permit. This
27 bill would not apply to municipal wastewater treatment systems
and plants.

29

ENVIRONMENT

31 Air and Water Pollution

33 Prohibits waste discharges into ocean waters as of January 1,
1990.

ASSEMBLY ENVIRONMENTAL QUALITY COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 128

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MAY 26, 1988

Senate Bill No. 128 [1R], with amendments, is reported favorably by the committee.

The bill, as amended, prohibits the Department of Environmental Protection from issuing, after December 31, 1990, a discharge permit to private industrial or commercial applicants pursuant to Water Pollution Control Act, P.L.1977, c.74 (C.58:10A-1 et seq.), for the discharge of solid, semi-solid or liquid wastes into the ocean waters of the State. Any permits issued therefor prior to January 1, 1991 shall expire on that date, notwithstanding any permit provisions to the contrary. The provisions of the bill would not apply to municipal treatment works or to seafood processing facilities. Ocean waters is defined as the open seas lying seaward of the base line from which the territorial sea is measured.

In extending to December 31, 1990 the date after which discharges into the ocean are prohibited, the committee wishes to provide the affected parties with sufficient time to identify and implement alternative methods of disposal.

SENATE ENERGY AND ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE No. 128

with Senate committee amendments

STATE OF NEW JERSEY

DATED: MAY 19, 1988

The Senate Energy and Environment Committee favorably reports Senate Bill No. 128 with Senate Committee amendments.

S-128, as amended, would require the Department of Environmental Protection to terminate the issuance of all permits to private commercial and industrial plants for the discharge of any wastes into the ocean waters of the State as of January 1, 1990. Any such permit issued by the department prior to that date would expire on that date, notwithstanding any provisions of the permit. This bill would apply only to discharges into the waters of the Atlantic Ocean (excluding bays, and tidally-flowed portions of rivers), but would not apply to municipal wastewater treatment plants or seafood processing centers. This bill would also require the Commissioner of the Department of Labor to establish a special program to provide job replacement, relocation assistance, and training to any person who suffers a loss of employment as a result of this bill.

This bill was introduced in the 1988 Legislative Session pending technical review. As reported by the Committee this bill includes any changes required after a technical review.



OFFICE OF THE GOVERNOR

NEWS RELEASE

Governor Thomas H. Kean
TRENTON, N.J. 08625
Release: FRI., 6/30/89

CN-001

Contact: **CARL GOLDEN**
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Governor Thomas H. Kean yesterday signed legislation to prohibit discharges of any substance directly into the ocean waters after January 1, 1992.

The effect of the bill, S-128, is to require the closing of an ocean discharge pipeline currently in use by the Ciba-Geigy plant in Toms River. The bill was sponsored by Senator John Russo, D-Ocean.

While the legislation applies to only the Ciba-Geigy plant, its effect will not be felt since the firm has plans to halt the use of the pipeline prior to December 31, 1991.

Other bills signed yesterday by Kean are:

S-841, sponsored by Senator Frank Graves, D-Passaic, to make it a fourth degree offense to possess an imitation firearm with the intent of using it for illegal or criminal purposes.

SCS for S-3393, sponsored by Senator Christopher Jackman, D-Hudson, to permit minors between the ages of 14 and 17 to work as lane attendants and busboys in bowling alleys until 11:30 p.m.

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