

October 21, 1971

R.S. 32:18-23

LEGISLATIVE HISTORY OF R.S. 32:18-23  
(Interstate Sanitation Commission -  
modern standards-water quality and pollution)

*copy?*

L.1970 - chap.212 - S 700

Mar.23 - Introduced by Wallwork [and others]  
Statement on bill (copies enclosed)  
Not amended during passage.

No clippings: V.P.--Water pollution

*Bill listed as "approved" in*

*Vol 905 Summary of the Medical Society of New Jersey  
M-J Vol 67 No 6 June 1970 p.286*

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JH/BE

SENATE, No. 700

STATE OF NEW JERSEY

INTRODUCED MARCH 23, 1970

By Senators WALLWORK, DICKINSON, GIULIANO, DOWD,  
SISCO, SCIRO and DELTUFO

Referred to Committee on Federal and Interstate Relations

AN ACT concerning the Interstate Sanitation Commission, amend-  
ing the Tri-State Compact on water pollution, and repealing  
section 6 of P. L. 1935, chapter 321 (R. S. 32:18-22).

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

1 1. The Tri-State Compact compiled in chapter 18 of Title 32 of  
2 the Revised Statutes is amended by adding at the end thereof a  
3 new article to be Article XVII to read as follows:

ARTICLE XVII

4 (1) In addition to, or in substitution for, the classifications of  
5 waters set forth in Articles VI and VII of this compact and the  
6 effluent standards made applicable thereto, the commission may  
7 develop and, after public hearing place in force other classifications  
8 of waters and effluent standards within the district. Such classifi-  
9 cations shall be on the basis of present or intended uses of the  
10 waters in question and shall be accompanied by requirements  
11 governing the quality of effluents, receiving waters, or both, as the  
12 public interest may make appropriate.

13 Classifications, standards, and requirements adopted pursuant  
14 to this article shall be developed and may be revised with due  
15 consideration for uniformity of requirements relating to the quality  
16 of effluents and receiving waters within the same classification in  
17 all parts of the district.

18 Classifications made pursuant to this article shall be governed  
19 by and shall implement any water and related land resource plans,  
20 water use plans or pollution control plans adopted by appropriate  
21 agencies of the signatory states, acting singly or in concert, or  
22 through joint intergovernmental agencies. Any exercise of au-  
23 thority by the commission pursuant to this article shall be subject

24 to any procedural requirements, if applicable, that may be con-  
25 tained in Federal law.

26 Nothing contained in this article shall be construed to abridge  
27 or limit any power otherwise existing of a signatory state to make  
28 and enforce classifications, standards, and requirements for  
29 effluents and receiving waters.

1 2. Section 6 of P. L. 1935, chapter 321 (R. S. 32:18-22) is  
2 repealed.

1 3. Legislation substantially similar to this act having been  
2 adopted by the States of New York and Connecticut, this act shall  
3 take effect immediately.

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#### STATEMENT

The Tri-State Compact establishes the Interstate Sanitation Commission and gives it power to control water pollution in the waters of the Greater New York Metropolitan Area. Ever since 1936, the States of New York and New Jersey (and since 1941 Connecticut as well) have worked harmoniously in and through the commission. In its present form, the compact sets forth specific standards of water quality which polluters must meet, if they are not to be in violation. However, in the 30 years since the compact was first enacted, it has become inappropriate to specify the technical details of water quality standards in a statute. These are subject to change in accordance with changing technology and changing conditions. The New Jersey law administered by the Health Department, and the water pollution control statutes administered by the New York and Connecticut Health Departments all now provide for administrative standards-making procedures. Also, since 1965 the Federal Water Quality Act has contained certain procedural arrangements for the making of standards applicable to "interstate waters."

Consequently, it is desirable to amend the Tri-State Compact to permit the Interstate Sanitation Commission to put standards into effect in what has become the more normal way. The bill would do this. It also would give specific recognition and reaffirmation to the role of the Interstate Sanitation Commission as an agent of the signatory states for the harmonization of their policies relating to their common waters. The amendment of the compact would not give the commission any new substantive powers, but it would permit it to proceed more efficiently and according to methods which have become customary in the field of pollution control.

Section 2 repeals an obsolete provision of the New Jersey Statutes which provides for certain limitations so long as Connecticut does not join the compact. Connecticut did join the compact in 1941.

The new Article XVII of the Tri-State Compact which would be enacted by this bill has already been enacted by both New York and Connecticut. Consequently, only passage of this bill is necessary to place the new article in operation.