

THIS IS A COURTESY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE JULY 21, 2008 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN.

## **ENVIRONMENTAL PROTECTION**

### **ENVIRONMENTAL REGULATION**

#### **Division of Water Quality**

#### **Determination of Environmental Benefit of the Reuse of Further Treated Effluent in**

#### **Industrial Facilities**

#### **Readoption: N.J.A.C. 7:14D**

Proposed: January 22, 2008 at 40 N.J.R. 533(a)

Adopted: June 18, 2008 by Lisa P. Jackson, Commissioner, Department of Environmental Protection

Filed: June 23, 2008 as R.2008 d.202 **without change**

Authority: N.J.S.A. 54:10A-5.31 and 5.32; and N.J.S.A. 54:32B-8.36

DEP Docket Number: 33-07-12/658

Effective Date: June 23, 2008

Expiration Date: June 23, 2013

The Department of Environmental Protection is readopting N.J.A.C. 7:14D, Determination of Environmental Benefit of the Reuse of Further Treated Effluent in Industrial Facilities, without change. These rules implement N.J.S.A. 54:10A-5.31 and N.J.S.A. 54:32B-8.36, to enable persons who purchase treatment equipment or conveyance equipment for purposes of conveying effluent from a wastewater treatment facility to treatment equipment that is or has been installed, treating the effluent, and then conveying the further treated effluent to an industrial facility for reuse in an industrial process to apply to the Department for a determination of environmental benefit (DEB). These rules specify the application requirements

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and review process for the DEBs. An applicant who receives a DEB can file with the Division of Taxation a claim for a corporate business tax credit and/or sales tax refund for qualifying equipment in accordance with N.J.S.A. 54:10A-5.31 and N.J.S.A. 54:32B-8.36.

The notice of proposal was published in the New Jersey Register at 40 N.J.R. 533(a) on January 22, 2008. The public comment period for the proposal closed on March 22, 2008.

### **Summary of Public Comments and Agency Responses**

**No public comments were received.**

### **Federal Standards Analysis**

Executive Order No. 27(1994) and N.J.S.A. 52:14B-1 et seq. (P.L. 1995, c.65) require State agencies that adopt, readopt or amend State regulations that exceed any Federal standards or requirements to include in the rulemaking document a Federal Standards Analysis. N.J.A.C. 7:14D is not promulgated under the authority of, or in order to implement, comply with or participate in any program established under Federal law or under a State statute that incorporates or refers to Federal law, Federal standards or Federal requirements. Accordingly, Executive Order No. 27(1994) and N.J.S.A. 52:14B-1 et seq. do not require a Federal Standards Analysis.

**Full text** of the readoption follows:

(No change from proposal.)

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Based on consultation with staff, I hereby certify that the above statements, including the Comparison with Federal Law statement addressing the requirements of Executive Order No. 27 (1994), permit the public to understand accurately and plainly the purposes and expected consequences of this readoption. I hereby authorize this readoption.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Lisa P. Jackson, Commissioner  
Department of Environmental Protection