

(a)

OFFICE OF ENVIRONMENTAL PLANNING
Amendment to the Monmouth County Water Quality
Management Plan
Public Notice

Take notice that on August 27, 1998, pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., and the Statewide Water Quality Management Planning rules (N.J.A.C. 7:15-3.4), an amendment to the Monmouth County Water Quality Management Plan was adopted by the Department of Environmental Protection. This amendment adds the proposed Woodland Crest at Tinton Falls development to the sewer service area of the Township of Ocean Sewerage Authority sewage treatment plant. The proposed project site is located on Block 123, Lots 50 and 53, in the Borough of Tinton Falls and consists of 45 single-family homes on 27.16 acres. It will result in a wastewater flow of 13,500 gallons per day. This amendment also modifies the Township of Ocean Sewerage Authority Wastewater Management Plan.

This amendment represent only one part of the permit process and other issues will be addressed prior to final permit issuance. Additional issues which were not reviewed in conjunction with this amendment but which may need to be addressed may include, but are not limited to, the following: antidegradation; effluent limitations; water quality analysis; exact locations and designs of future treatment works (pump stations, interceptors, sewers, outfalls, wastewater treatment plants); and development in wetlands, flood prone areas, designated Wild and Scenic River areas, or other environmentally sensitive areas which are subject to regulation under Federal or State statutes or rules.

(b)

OFFICE OF ENVIRONMENTAL PLANNING
Amendment to the Upper Delaware Water Quality
Management Plan
Public Notice

Take notice that on September 1, 1998, pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., and the Statewide Water Quality Management Planning rules (N.J.A.C. 7:15-3.4), an amendment to the Upper Delaware Water Quality Management Plan was adopted by the Department of Environmental Protection.

This amendment was submitted by Buck, Seifert, & Jost, Inc., on behalf of the State of New Jersey Department of Law and Public Safety. The amendment identifies the Warren Residential Group Center (WRGC) site, located at Brass Castle Road (Lot 36, Block 14, comprising approximately 70 acres) White Township, Warren County, as "Service Area for Wastewater Facilities with Planning Flows of Less Than 20,000 GPD Which Discharge to Ground Water." This State owned juvenile correction facility has experienced hydraulic failures of their existing NJPDES permitted (NJ0064289) subsurface disposal field, that currently serve the facility, for several years due to undersizing and/or unsuitable field location. The applicant will replace and abandon the existing system with a new 7,500 gallons per day maximum subsurface disposal system located at a more suitable location within the property site. The new system will serve the existing and future needs (projected population of 60 clients and staffers) for the WRGC and consist of three 3,000 gallon septic tanks in series, a dosing tank (eight foot diameter, 2,600 gallon working capacity) and four recharge beds (totaling 16,240 square feet).

This amendment represents only one part of the permit process and other issues will be addressed prior to final permit issuance. Additional issues which were not reviewed in conjunction with this amendment but which may need to be addressed may include, but are not limited to, the following: antidegradation; effluent limitations; water quality analysis; exact locations and designs of future treatment works (pump stations, interceptors, sewers, outfalls, wastewater treatment plants); and

development in wetlands, flood prone areas, designated Wild and Scenic River areas, or other environmentally sensitive areas which are subject to regulation under Federal or State statutes or rules.

(c)

OFFICE OF ENVIRONMENTAL PLANNING
Amendment to the Mercer County Water Quality
Management Plan
Public Notice

Take notice that on September 8, 1998, pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., and the Statewide Water Quality Management Planning rules (N.J.A.C. 7:15-3.4), an amendment to the Mercer County Water Quality Management Plan was adopted by the Department of Environmental Protection (Department). This amendment updates the current adopted version of the Hopewell Township Wastewater Management Plan (WMP).

The amendment expands and transfers portions of the Ewing-Lawrence Sewerage Authority (ELSA) sewer service area to the City of Trenton Sewer Utility (Trenton), up to a maximum flow of 1.347 million gallons per day (mgd). The expanded service areas include properties currently served by subsurface sewage disposal systems as well as undeveloped lots along the infrastructure route. The portion of the ELSA service area that encompassed the proposed Merrill Lynch site (Block 91, Lots 1.03, 2 and 3; totaling 450 acres) is now transferred to Trenton. The portion of the ELSA service area that encompassed Brandon Farms (totaling 505 acres) is now also transferred to Trenton. The Ingelside area, south of Pennington Borough (encompassing 236 acres), and the Morningside area, west of Pennington Borough (encompassing 87 acres), are now designated as Trenton service area in order to provide sewers for properties with failing septic systems. The Hopewell Township Municipal Complex (Block 92, Lots 5, 6, 46 and 49) and the Town Center Shopping Center Facility (Block 78, Lot 15.02), that were designated in the previous WMP as discharge to ground water service areas are now included in the Trenton sewer service area. The remaining portion of the ELSA sewer service area in southeastern Hopewell Township, exclusive of the Titusville and Washington Crossing area, are now also transferred to Trenton. The removal of the Titusville and Washington Crossing service area from ELSA will be considered as part of a future amendment proposal.

Upon the availability of the Trenton sewer line connections, as depicted in the WMP Future Sewer Service Map, all projects/activities in the corresponding sewer service area must connect to Trenton. However, until such time, projects/activities in the corresponding service area may elect to retain their previous service area designation as depicted in the previous WMP Future Sewer Service Area Map adopted and amended through November 7, 1996.

In accordance with N.J.A.C. 7:15-3.4 and the Mercer County Water Quality Management Plan Amendment Procedures, a public hearing on the amendment was noticed in the New Jersey Register and the Trenton Times on June 15, 1998, and the Hopewell Valley News on June 11, 1998. Mercer County held a public hearing on July 16, 1998, and public comments were accepted by the Mercer County Planning Board at the hearing and until August 1, 1998. The Mercer County Division of Planning prepared a summary of the written and verbal comments that were entered into the record that included the following issues:

In support of the amendment: appropriate development, traffic, open space, economics, and public health.

Opposed to the amendment: lack of proper analysis/planning, improper procedure, diminished quality of life, excessive growth/sprawl and other concerns.

Mercer County considered these comments and on August 5, 1998, the Mercer County Planning Board and the Mercer County Executive approved the amendment in accordance with the Mercer County Water Quality Management Plan Amendment Procedures.

The following provisos are incorporated into this amendment in order to minimize secondary impacts that could be associated with development consistent with current zoning as well as to advance protection of water resources from the effects of nonpoint pollution throughout the Township. These provisos are also included in the loan agreements to be executed by the New Jersey Environmental Infrastructure Trust and the Department:

Sewer connections beyond the residential units and commercial square footage identified in the "New Jersey Infrastructure Financing Program Environmental Appraisal Table 2" dated August 18, 1998 and any changes to the sewer service area and/or the specific development identity (zoning, residential/commercial units and flows) will not be allowed without the approval of the Office of Environmental Planning and an amendment to the Mercer County Water Quality Management Plan. Any such changes, as referenced above, shall also be consistent with the State Development and Redevelopment Plan, which shall include, but not be limited to, the development of an Open Space Preservation Plan within the context of the Master Plan Cross-Acceptance process and in coordination with the development of a Town Center designation. In order for the Department to consider any change, Hopewell Township must demonstrate that any proposed density increase is a result of transfer of development potential from elsewhere in the Township. Such transfers would be based on a re-evaluation and correction of zoning to be compatible with preserving water quality and recharge.

No wastewater treatment services will be provided to environmentally constrained areas, except where development requiring wastewater treatment facilities is specifically permitted by the Department.

Hopewell Township shall revise and implement their current stormwater ordinance within six months of the date of execution of the Loan Agreements. The development of the revised stormwater ordinance shall be coordinated with and approved by the Office of Environmental Planning and must meet current Department of Environmental Protection and Department of Community Affairs standards with respect to post-construction stormwater flows applied to all forms of development. The ordinance must include provisions to protect the integrity of stream channels, reduce potential flooding and nonpoint source pollution problems, reduce soil erosion and maintain natural drainageways.

Hopewell Township shall coordinate with the Delaware River Keeper Network, the Delaware River Basin Commission, the Stony Brook Millstone Watershed Association, Mercer County, the MSM Regional Council, and the Townships of Ewing and Lawrence in conjunction with the Office of Environmental Planning, to develop a watershed-based stormwater management plan within two years of the date of execution of the Loan Agreements. Upon the Department's approval of the watershed-based stormwater management plan, the recommendations shall be incorporated within the Township's stormwater ordinance, and shall include provisions to limit impervious cover and encourage ground water recharge.

This amendment represents only one part of the permit process and other issues will be addressed prior to final permit issuance. Additional issues which were not reviewed in conjunction with this amendment but which may need to be addressed may include, but are not limited to, the following: antidegradation; effluent limitations; water quality analysis; exact locations and designs of future treatment works (pump stations, interceptors, sewers, outfalls, wastewater treatment plants); and development in wetlands, flood prone areas, designated Wild and Scenic River areas, or other environmentally sensitive areas which are subject to regulation under Federal or State statutes or rules.

(a)

OFFICE OF ENVIRONMENTAL PLANNING

Amendment to the Upper Delaware Water Quality Management Plan

Public Notice

Take notice that on September 18, 1998, pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., and the Statewide Water Quality Management Planning rules (N.J.A.C. 7:15-3.4), an amendment to the Upper Delaware Water Quality Management Plan was adopted by the Department of Environmental Protection.

This amendment was submitted on behalf of the New Jersey Foreign Trade Zone Venture. The amendment expands the Musconetcong Sewerage Authority (MSA) service area, as depicted in the Musconetcong Sewerage Authority Wastewater Management Plan, to include a contiguous 14 acre parcel (Lots 3, 4, 5, 6, Block 402) located along Waterloo Valley Road in Mount Olive Township, Morris County. Currently, this parcel is improved with two single family residences and a truck repair depot that utilize existing septic systems. Givaudan Roure (the current property owner), proposes to demolish the existing structures and construct a 185,888 square foot building on this site to house their fragrance manufacturing, warehouse and office facilities. Under this proposal, wastewater from this property (maximum flow of 18,600 gallons per day) will be conveyed to MSA for treatment via a proposed sanitary sewer extension. The projected wastewater flow will be taken from the New Jersey Foreign Trade Zone Venture's existing allocation.

This amendment represents only one part of the permit process and other issues will be addressed prior to final permit issuance. Additional issues which were not reviewed in conjunction with this amendment but which may need to be addressed may include, but are not limited to, the following: antidegradation; effluent limitations; water quality analysis; exact locations and designs of future treatment works (pump stations, interceptors, sewers, outfalls, wastewater treatment plants); and development in wetlands, flood prone areas, designated Wild and Scenic River areas, or other environmentally sensitive areas which are subject to regulation under Federal or State statutes or rules.

HIGHER EDUCATION

(b)

NEW JERSEY HIGHER EDUCATION ASSISTANCE AUTHORITY

Notice of Receipt of Petition for Rulemaking N.J.A.C. 9A:10-7.8(b); Fees and Charges

Petitioner: College Savings Bank.

Take notice that on September 21, 1998, the New Jersey Higher Education Assistance Authority (Authority) received a petition for rulemaking from Dughi and Hewit, Attorneys at Law, on behalf of the College Savings Bank seeking the repeal or republication of a fees and charges provision of the New Jersey Better Educational Savings Trust Program rules. The petition asserts that the "June 1998 adopted amendment to N.J.A.C. 9A:10-7.8(b) so substantially changed the initial proposed rule that re-publication and an additional opportunity to comment should have been made available." The petition more specifically asserts that the Authority's use of the word "earnings" in the adopted amendment results in a "material, adverse impact on consumers," and questions the Authority's adoption of an annual account maintenance fee.

In accordance with N.J.A.C. 1:30-3.6, the Authority will subsequently mail to petitioner and file with the Office of Administrative Law a notice of action on the petition.