

CHAPTER 22A

SEWAGE INFRASTRUCTURE IMPROVEMENT  
ACT GRANTS

Authority

N.J.S.A. 13:1D-1 et seq., 40:55D-93 et seq., 58:10A-1 et seq., 58:11A-1 et seq., 58:25-23 et seq., P.L. 1989, c.181 and P.L. 1990, c. 28.

Source and Effective Date

R.1999 d.414, effective November 3, 1999.  
See: 31 N.J.R. 2099(a), 31 N.J.R. 4012(a).

Executive Order No. 66(1978) Expiration Date

Chapter 22A, Sewage Infrastructure Improvement Act Grants, expires on November 3, 2004.

Chapter Historical Note

Chapter 22A, Sewage Infrastructure Improvement Act Grants, was adopted as R.1990 d.69, effective February 5, 1990 with Subchapters 1 through 3 and 6. See: 21 N.J.R. 1948(a), 22 N.J.R. 368(a), 22 N.J.R. 563(b). Subchapter 4, Final Mapping and Monitoring Requirements, was adopted as R.1991 d.307, effective June 17, 1991. See: 22 N.J.R. 2870(a), 23 N.J.R. 1926(a). Subchapter 7, Interconnection/Cross-Connection Abatement Account Procedures and Requirements, was adopted as R.1993 d.409, effective August 16, 1993. See: 25 N.J.R. 1643(a), 25 N.J.R. 3760(a).

Pursuant to Executive Order No. 66(1978), Chapter 22A, Sewage Infrastructure Improvement Act Grants, was readopted as R.1995 d.47, effective December 22, 1994. See: 26 N.J.R. 3793(a), 27 N.J.R. 324(b).

Pursuant to Executive Order No. 66(1978), Chapter 22A, Sewage Infrastructure Improvement Act Grants, was readopted as R.1999 d.414, effective November 3, 1999. See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 7:22A-1.1 Purpose
- 7:22A-1.2 Scope
- 7:22A-1.3 Construction of rules
- 7:22A-1.4 Definitions
- 7:22A-1.5 Fund procedures
- 7:22A-1.6 Administration and performance of grant agreements
- 7:22A-1.7 Enforcement
- 7:22A-1.8 Noncompliance
- 7:22A-1.9 Notice of noncompliance
- 7:22A-1.10 Withholding of funds
- 7:22A-1.11 Stop-work orders
- 7:22A-1.12 Termination of the grant agreement
- 7:22A-1.13 Rescission of grant funds
- 7:22A-1.14 Fraud and other unlawful or corrupt practices
- 7:22A-1.15 Debarment
- 7:22A-1.16 Administrative hearings
- 7:22A-1.17 Use and disclosure
- 7:22A-1.18 Access
- 7:22A-1.19 Publicity
- 7:22A-1.20 Severability

SUBCHAPTER 2. GRANT AGREEMENT PROCEDURES AND REQUIREMENTS

- 7:22A-2.1 Applicability

- 7:22A-2.2 Grant award agreements
- 7:22A-2.3 Effect of grant awards
- 7:22A-2.4 Grant conditions
- 7:22A-2.5 Project changes and modifications to grant agreements
- 7:22A-2.6 Grant amendments
- 7:22A-2.7 Administrative changes
- 7:22A-2.8 Other changes
- 7:22A-2.9 State disbursements
- 7:22A-2.10 Assignment
- 7:22A-2.11 Unused funds

SUBCHAPTER 3. PRELIMINARY MAPPING AND INVENTORY

- 7:22A-3.1 Applicability
- 7:22A-3.2 Applicant eligibility
- 7:22A-3.3 Funding
- 7:22A-3.4 Pre-application procedures
- 7:22A-3.5 Application procedures
- 7:22A-3.6 Application evaluation
- 7:22A-3.7 Department approval or disapproval
- 7:22A-3.8 Reporting requirements
- 7:22A-3.9 Inventory
- 7:22A-3.10 Preliminary mapping
- 7:22A-3.11 Additional information
- 7:22A-3.12 Allowable project costs

SUBCHAPTER 4. FINAL MAPPING AND MONITORING REQUIREMENTS

- 7:22A-4.1 Applicability
- 7:22A-4.2 Reporting requirements
- 7:22A-4.3 Final mapping
- 7:22A-4.4 Investigative priority listing
- 7:22A-4.5 Identification of interconnections and cross-connections
- 7:22A-4.6 Sampling and testing requirements
- 7:22A-4.7 Excessive bacterial levels for sample analysis
- 7:22A-4.8 Periodic monitoring
- 7:22A-4.9 Applicant eligibility for final mapping grants
- 7:22A-4.10 Funding
- 7:22A-4.11 Pre-application meeting
- 7:22A-4.12 Application procedures
- 7:22A-4.13 Application evaluation
- 7:22A-4.14 Department approval or disapproval
- 7:22A-4.15 Allowable costs

SUBCHAPTER 5. (RESERVED)

SUBCHAPTER 6. COMBINED SEWER OVERFLOW ACCOUNT PROCEDURES AND REQUIREMENTS

- 7:22A-6.1 Applicability
- 7:22A-6.2 Combined Sewer Overflow Account
- 7:22A-6.3 Terms of financial assistance from the Combined Sewer Overflow Account
- 7:22A-6.4 Criteria for project priority
- 7:22A-6.5 State and Federal funding
- 7:22A-6.6 Project funding
- 7:22A-6.7 Pre-application procedures
- 7:22A-6.8 Application procedures
- 7:22A-6.9 Evaluation of application
- 7:22A-6.10 Supplemental information
- 7:22A-6.11 Combined Sewer Overflow Account disbursements
- 7:22A-6.12 Project initiation
- 7:22A-6.13 Allowable project costs
- 7:22A-6.14 Force account work
- 7:22A-6.15 Value engineering

SUBCHAPTER 7. INTERCONNECTION/CROSS-CONNECTION ABATEMENT ACCOUNT PROCEDURES AND REQUIREMENTS

- 7:22A-7.1 Applicability

7:22A-7.2 Interconnection/Cross-Connection Abatement Account  
 7:22A-7.3 Terms of financial assistance from the Interconnection/Cross-Connection Abatement Account  
 7:22A-7.4 Initial planning grants  
 7:22A-7.5 Project priority for second-round grants  
 7:22A-7.6 State and Federal funding  
 7:22A-7.7 Pre-application procedures  
 7:22A-7.8 Application procedures  
 7:22A-7.9 Evaluation of application  
 7:22A-7.10 Supplemental information  
 7:22A-7.11 Interconnection/Cross-Connection Abatement Account disbursements  
 7:22A-7.12 Project initiation  
 7:22A-7.13 Allowable project costs  
 7:22A-7.14 Force account work  
 7:22A-7.15 Value engineering

APPENDIX A

SUBCHAPTER 1. GENERAL PROVISIONS

7:22A-1.1 Purpose

(a) This chapter prescribes the rules of the Department for the distribution of grant moneys to affected municipalities and other local government units to implement the requirements of the Act. The purpose of the rules is to prevent, control and abate water pollution caused by the discharge of untreated sewage and point and nonpoint source pollutants from stormwater sewer systems and combined sewer systems.

(b) In addition, this chapter is established to assure that the distribution and use of the moneys in the Fund is consistent with the Act and the policies of the State.

Amended by R.1991 d.307, effective June 17, 1991.  
 See: 22 N.J.R. 2870(a), 23 N.J.R. 1926(a).  
 Changed "measures" to "rules" in (a).

7:22A-1.2 Scope

(a) This chapter shall constitute the rules governing the Department's implementation of the Sewage Infrastructure Improvement Act, N.J.S.A. 58:25-23 et seq.

(b) The Act requires all affected municipalities to adopt a map of their stormwater sewer system, monitor stormwater outfall pipes and take appropriate abatement measures for interconnections, cross-connections and nonpoint sources of pollution.

(c) The Act requires any local government unit controlling or operating a combined sewer system within the State to provide appropriate pollution abatement measures at combined sewer overflow points.

(d) Any affected municipality may apply to the Department for a grant to prepare a preliminary map and inventory of their stormwater sewer system, or prepare a final map in accordance with N.J.A.C. 7:22A-4.

(e) Any local government unit authorized to control or operate a combined sewer system may apply to the Department for a grant for the planning and design of dry weather overflow elimination and/or solids/floatables reduction at combined sewer overflow points.

(f) This chapter also governs the Department's disbursement of funds from the Stormwater Management and Combined Sewer Overflow Abatement Bond Act of 1989 (P.L. 1989, c.181) for the performance of activities required by the Sewage Infrastructure Improvement Act.

Amended by R.1991 d.307, effective June 17, 1991.  
 See: 22 N.J.R. 2870(a), 23 N.J.R. 1926(a).  
 Added "or prepare a final map in accordance with N.J.A.C. 7:22A-4" in (d).  
 Amended by R.1995 d.47, effective January 17, 1995.  
 See: 26 N.J.R. 3793(a), 27 N.J.R. 324(b).

7:22A-1.3 Construction of rules

This chapter shall be liberally construed to permit the Department to discharge its statutory functions under the Act and the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq.

Amended by R.1991 d.307, effective June 17, 1991.  
 See: 22 N.J.R. 2870(a), 23 N.J.R. 1926(a).  
 Added "and the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq."

7:22A-1.4 Definitions

The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise.

"Act" means the New Jersey Sewage Infrastructure Improvement Act, N.J.S.A. 58:25-23 et seq.

"Affected municipality" means any municipality with a stormwater sewer system discharging directly into the salt waters of Monmouth, Ocean, Atlantic or Cape May counties.

"Allowable costs" means those costs that are eligible, reasonable, necessary and allocable to the project, permitted by generally accepted accounting principles, approved by the Department in the grant agreement, and/or otherwise determined to be allowable pursuant to this chapter.

"Applicant" means any local government unit or affected municipality that applies for financial assistance pursuant to the provisions of this chapter.

"Certified mail" means any means of delivery where proof of delivery is obtained and date of receipt is recorded.

"Cesspool" means a type of covered pit as defined in N.J.A.C. 7:9A-2.1.