

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., and P.L. 1989, c.181 and P.L. 1990, c.28.

Source and Effective Date

R.2005 d.154, effective April 21, 2005.
See: 36 N.J.R. 5290(a), 37 N.J.R. 1787(a).

Chapter Expiration Date

Chapter 22A, Sewage Infrastructure Improvement Act Grants, expires on April 21, 2010.

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: 31 N.J.R. 2099(a), 31 N.J.R. 4012(a).

Chapter 22A, Sewage Infrastructure Improvement Act Grants, was readopted as R.2005 d.154, effective April 21, 2005. See: Source and Effective Date. See, also, section annotations.

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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.