

ENVIRONMENTAL PROTECTION

applicable State or Federal Law," to "respond to new circumstances," or to "improve the ... environmental impact of WQM plans." *Ibid.* The terms of the CAFRA permit, in particular the condition prohibiting ties to development in sensitive environmental areas, has been challenged and upheld in court and, contrary to the commenter's assertions, was required by State law if the new treatment facility was to be built. It is therefore necessary to remove these areas from the "proposed and existing sewerage area" in order to "implement" and "comply" with "applicable State ... Law," to respond to the "new circumstances" brought on by the change in legal requirements and to improve the "environmental impact" of Cape May County's WQM plan by bringing it into compliance with the requirements of the State's Rules on Coastal Zone Management.

Finally, the Department has determined, upon reopening its prior decision, that the supplemental plans to the Middle Township Wastewater Management Plan mapping, approved by the Department as part of its original decision to adopt the proposed amendment (plan by Elson T. Killam Associates, Inc., dated September 6, 1988, last revised November 3, 1989), does not clearly reflect the terms of the CAFRA permit condition and this decision. In particular, the Department has determined that, among other things, the plan does not clearly exclude all dune and beach areas on the Senico/Linnington property from the sewer service area as required by both the previously approved and the present plan amendment. A revised plan, consistent with this decision, must be submitted to the Department by the County within 30 days of this decision.

(a)

OFFICE OF REGULATORY POLICY

Amendment to the Monmouth County Water Quality Management Plan Public Notice

Take notice that on February 2, 1993, 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. This amendment to the Monmouth County Water Quality Management (WQM) Plan proposed by the Township of Colts Neck, adopts a Wastewater Management Plan (WMP) for the Township. The WMP addresses wastewater management planning for the Township. The Township will retain WMP responsibility for the municipality.

The WMP delineates the site of Saddlebrook at Colts Neck as part of the sewer service area of the Manasquan River Regional Sewerage Authority (MRRSA). Wastewater from this site will be collected by MRRSA and treated at the Ocean County Utilities Authority's Northern Water Pollution Control Facility. The WMP delineates the areas served by existing NJPDES-permitted on-site treatment facilities and delineates proposed areas to be served by on-site treatment facilities discharging to groundwater. The remainder of the Township is designated as being served by individual subsurface sewage disposal systems.

(b)

OFFICE OF REGULATORY POLICY

Amendment to the Lower Raritan/Middlesex County Water Quality Management Plan Public Notice

Take notice that the New Jersey Department of Environmental Protection and Energy (NJDEPE) is seeking public comment on a proposed amendment to the Lower Raritan/Middlesex County Water Quality Management (WQM) Plan. This amendment will redefine the sewer service area boundary between Stony Brook Regional Sewerage Authority and Middlesex County Utilities Authority and will increase current and future population and flow projections. This will amend the South Brunswick Wastewater Management Plan.

This notice is being given to inform the public that a plan amendment has been proposed for the Lower Raritan/Middlesex County WQM Plan. All information related to the WQM Plan and the proposed amendment

is located at the Middlesex County Planning Board, 40 Livingston Avenue, New Brunswick, New Jersey 08901, and the NJDEPE, Office of Regulatory Policy, CN-423, 401 East State Street, 3rd Floor, Trenton, New Jersey 08625. It is available for inspection between 8:30 A.M. and 4:00 P.M., Monday through Friday. An appointment to inspect the documents may be arranged by calling the Middlesex County Planning Board at (908) 745-3016 or the Office of Regulatory Policy at (609) 633-7021.

Middlesex County will hold a public hearing on the proposed WQM Plan amendment. The public hearing will be on Thursday, April 15, 1993 at 8:00 P.M., in the Freeholders' Meeting Room, 11th Floor, of the Middlesex County Administration Building located on John F. Kennedy Square, New Brunswick, New Jersey. Interested persons may submit written comments on the amendment to Mr. William J. Kruse of the Middlesex County Planning Board at the County Planning Board address cited above. A copy of the comments should be sent to Mr. Barry Chalofsky at the NJDEPE address cited above. All comments must be submitted within 15 days following the public hearing. All comments submitted by interested persons in response to this notice, within the time limit, shall be considered by the County Board of Chosen Freeholders with respect to this amendment request. In addition, if the amendment is adopted by Middlesex County, the NJDEPE must review the amendment prior to final adoption. The comments received in reply to this notice and to the public hearing will also be considered by the NJDEPE during its review. Middlesex County and the NJDEPE thereafter may approve and adopt this amendment without further notice.

(c)

OFFICE OF REGULATORY POLICY

Amendment to the Upper Raritan Water Quality Management Plan Public Notice

Take notice that on February 1, 1993, 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 Raritan Water Quality Management Plan was adopted by the Department. This amendment, requested by the Borough of Peapack and Gladstone, adopts a Wastewater Management Plan (WMP) for the Borough of Peapack and Gladstone. The WMP allows abandonment of the Peapack Sewage Treatment Plant (STP) with flows being conveyed to the Environmental Disposal Corporation (EDC) STP in Bedminster Township. The EDC STP sewer service area and a Groundwater Discharge Area for facilities with design flows of less than 2,000 gallons per day are identified.

This amendment proposal was noticed in the New Jersey Register on November 16, 1992. Comments on this amendment were received during the public comment period and are summarized below with the DEPE's responses.

COMMENT: The Township of Bedminster commented that proximity of the Bedminster/Far Hills Pumping Station and Force Main facilities should indicate the merging of the Peapack and Gladstone and Bedminster/Peapack Transmission facilities into a regional transmission system as the most cost-efficient and environmentally correct means of wastewater management for the region. Bedminster feels the Department should require a regional wastewater transmission system.

RESPONSE: The Borough of Peapack and Gladstone does not disagree that a combined transmission system could be more advantageous if suitable contractual arrangements can be reached. However, at this time conditions proposed by Bedminster are unsatisfactory to Peapack and Gladstone. The Department relegates specific contractual arrangements regarding the technical construction details to the effected parties. The Department hopes that all the parties involved can arrive at a solution that is advantageous to all parties, however, approval of the planning concept need not be withheld pending these negotiations.

COMMENT: Bedminster Township commented regarding several technical and capacity design considerations of the Peapack and Gladstone transmission facilities.

RESPONSE: Technical and capacity design considerations will be addressed during the final design of the facilities in accordance with NJDEPE guidelines. Some of the design capacities cited merely reflect the maximum allowed under the contract between Peapack and Gladstone and EDC.

PUBLIC NOTICE

OFFICE OF REGULATORY POLICY Amendment to the Management Plan Public Notice

Take notice that the New Jersey Department of Environmental Protection and Energy (NJDEPE) is seeking public comment on a proposed amendment to the Lower Raritan/Middlesex County Water Quality Management (WQM) Plan. This amendment will redefine the sewer service area boundary between Stony Brook Regional Sewerage Authority and Middlesex County Utilities Authority and will increase current and future population and flow projections. This will amend the South Brunswick Wastewater Management Plan. This notice is being given to inform the public that a plan amendment has been proposed for the Lower Raritan/Middlesex County WQM Plan. All information related to the WQM Plan and the proposed amendment is located at the Middlesex County Planning Board, 40 Livingston Avenue, New Brunswick, New Jersey 08901, and the NJDEPE, Office of Regulatory Policy, CN-423, 401 East State Street, 3rd Floor, Trenton, New Jersey 08625. It is available for inspection between 8:30 A.M. and 4:00 P.M., Monday through Friday. An appointment to inspect the documents may be arranged by calling the Middlesex County Planning Board at (908) 745-3016 or the Office of Regulatory Policy at (609) 633-7021. Middlesex County will hold a public hearing on the proposed WQM Plan amendment. The public hearing will be on Thursday, April 15, 1993 at 8:00 P.M., in the Freeholders' Meeting Room, 11th Floor, of the Middlesex County Administration Building located on John F. Kennedy Square, New Brunswick, New Jersey. Interested persons may submit written comments on the amendment to Mr. William J. Kruse of the Middlesex County Planning Board at the County Planning Board address cited above. A copy of the comments should be sent to Mr. Barry Chalofsky at the NJDEPE address cited above. All comments must be submitted within 15 days following the public hearing. All comments submitted by interested persons in response to this notice, within the time limit, shall be considered by the County Board of Chosen Freeholders with respect to this amendment request. In addition, if the amendment is adopted by Middlesex County, the NJDEPE must review the amendment prior to final adoption. The comments received in reply to this notice and to the public hearing will also be considered by the NJDEPE during its review. Middlesex County and the NJDEPE thereafter may approve and adopt this amendment without further notice.

LA

DIVISION OF AUDIOLOGICAL PATHOLOGY Notice of Final Rulemaking Scope of Final Language

N.J.A.C. 17:27

Petitioner: New Jersey Association of Audiologists
Take notice that the New Jersey Department of Environmental Protection and Energy (NJDEPE) is seeking public comment on a proposed amendment to the Lower Raritan/Middlesex County Water Quality Management (WQM) Plan. This amendment will redefine the sewer service area boundary between Stony Brook Regional Sewerage Authority and Middlesex County Utilities Authority and will increase current and future population and flow projections. This will amend the South Brunswick Wastewater Management Plan. This notice is being given to inform the public that a plan amendment has been proposed for the Lower Raritan/Middlesex County WQM Plan. All information related to the WQM Plan and the proposed amendment is located at the Middlesex County Planning Board, 40 Livingston Avenue, New Brunswick, New Jersey 08901, and the NJDEPE, Office of Regulatory Policy, CN-423, 401 East State Street, 3rd Floor, Trenton, New Jersey 08625. It is available for inspection between 8:30 A.M. and 4:00 P.M., Monday through Friday. An appointment to inspect the documents may be arranged by calling the Middlesex County Planning Board at (908) 745-3016 or the Office of Regulatory Policy at (609) 633-7021. Middlesex County will hold a public hearing on the proposed WQM Plan amendment. The public hearing will be on Thursday, April 15, 1993 at 8:00 P.M., in the Freeholders' Meeting Room, 11th Floor, of the Middlesex County Administration Building located on John F. Kennedy Square, New Brunswick, New Jersey. Interested persons may submit written comments on the amendment to Mr. William J. Kruse of the Middlesex County Planning Board at the County Planning Board address cited above. A copy of the comments should be sent to Mr. Barry Chalofsky at the NJDEPE address cited above. All comments must be submitted within 15 days following the public hearing. All comments submitted by interested persons in response to this notice, within the time limit, shall be considered by the County Board of Chosen Freeholders with respect to this amendment request. In addition, if the amendment is adopted by Middlesex County, the NJDEPE must review the amendment prior to final adoption. The comments received in reply to this notice and to the public hearing will also be considered by the NJDEPE during its review. Middlesex County and the NJDEPE thereafter may approve and adopt this amendment without further notice.