

All landlords are required to file a registration statement with the clerk in the municipality where each building is located. The statement must list the name and address of the fuel oil dealer servicing the building as well as the grade of fuel used. This information will enable the municipality to carry out the provisions of this legislation.

The Act does not authorize mechanical repairs which are allowed under the Repair and Lien Statute (N.J. STAT. ANN. § 48:42-2.12f), nor does it apply to owner-occupied residential rental properties of five or fewer units.

The objective of this legislation is to protect the health and safety of tenants who may have no recourse when their landlord has failed to supply a sufficient amount of heat necessary for survival.

—*Maureen Leary*

ENVIRONMENT—POTABLE WATER SUPPLY DAMAGE—AN ACT TO
AMEND THE SPILL COMPENSATION AND CONTROL ACT—
N.J. STAT. ANN. § 58:10-23.11f (West Supp. 1981)

N.J. STAT. ANN. § 58:10-23.11f permits property owners whose drinking water supply has been contaminated by a discharge of a hazardous substance to file a claim against the Spill Compensation Fund for restoration or replacement of their water supply source. This amendment supplements existing law under the Spill Compensation and Control Act, which was recently held to be prospective rather than retroactive. (*State of New Jersey v. Exxon*, 151 N.J. Super. 464, 481, 376 A.2d 1339, 1348 (Ch. Div. 1977).) The Act will now allow for recovery based on retroactive discharges of hazardous substances into potable water supplies.

Payments shall be made for the restoration of, replacement of, or connection to an alternative water supply for any private residential well destroyed, contaminated, or impaired as a result of a discharge. All claims are subject to approval by the Department of Environmental Protection and the availability of funds; total payment in any one calendar year shall not exceed \$500,000.

—*Robert Saypol*