



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM

401 East State Street

P.O. Box 420, Mail Code 401-06

Trenton, New Jersey 08625-0420

Tel. (609) 292-1250 • Fax (609) 609-777-1914

www.nj.gov/dep

PHILIP D. MURPHY

Governor

SHEILA Y. OLIVER

Lt. Governor

SHAWN M. LATOURETTE

Acting Commissioner

March 31, 2021

Re: Extension of the Deadlines in P.L. 2019 c.397 (Dirty Dirt law) Pursuant to Executive Order #136

Dear Soil and Fill Recyclable Material haulers and brokers:

On March 9, 2020, Governor Philip D. Murphy issued Executive Order Number 103 (EO 103) declaring the COVID-19 pandemic to be both a Public Health Emergency (PHE) and State of Emergency in New Jersey. On May 2, 2020, Governor Murphy issued Executive Order Number 136 (EO 136) which in part tolled certain deadlines established in the Dirty Dirt law due to the continuing PHE.

The original deadlines in the Dirty Dirt law signed by Governor Murphy on January 21, 2020 required that:

- Any business wishing to engage in Soil and Fill recycling services that did not already possess an A-901 license submit a registration form to DEP no later than April 20, 2020;
- No more than 90 days after submission of a registration form, the Department shall issue a Soil and Fill recycling registration to the business concern;
- Any business without a valid A-901 or registration must cease to engage in Soil and Fill recycling services after July 20, 2020; and
- To obtain a Soil and Fill A-901 license, a registrant must submit a valid and administratively complete application to the New Jersey Attorney General's Office no later than October 19, 2020.


EO 136 extended each of the above deadlines by the number of days of the PHE declared in EO 103 plus an additional 60 days.¹

Once the PHE declaration is rescinded or expires², the number of days of the PHE plus 60 days will be added to the above legislative due dates to establish the final due dates for the respective milestones in the Dirty Dirt law.

The Department will utilize this communication channel and the NJDEP Division of Solid and Hazardous Website at www.nj.gov/dep/dshw (the What's New section) to provide final milestone dates when the PHE is ended.

Please contact the Department's A-901 Unit via phone at (609) 984-4250 or via e-mail at soilandfill@dep.nj.gov should you have any questions or comments.

Best Regards,


Mark J. Pedersen
Assistant Commissioner
Site Remediation and Waste Management Program

¹ The PHE remains in effect as of the date of this letter, therefore the number of days of the PHE cannot yet be calculated.

² The number of days in the PHE will be calculated as the total number of days between and including the date of the rescinding or expiration of the PHE and the date of the declaration of the PHE in EO 103 which was March 9, 2020.