



Enforcement Alert

Making You Aware of Anticipated Enforcement Activities

Compliance and Enforcement

Issued: September 2008

#2008-08

DEP Gears up for Debris Disposal Necessitated by Tropical Storm Hanna

Who is affected by this initiative?

Solid waste coordinators, county and municipal staff or officials, waste transporters, disposal facility owner/operators, recycling facilities and other entities involved with waste transportation and disposal within New Jersey.

What is occurring?

Current weather forecasts predict that Tropical Storm Hanna may make landfall on or near New Jersey and may cause heavy winds, rains, and severe localized flooding. Such severe weather may result in a short, but dramatic increase in waste and/or debris, which will need to be disposed of in a safe and timely manner. In **very limited circumstances**, the Department has found that enforcement of certain environmental protection regulations impedes the expeditious cleanup and disposal of this debris to the detriment of the public welfare. In such limited circumstances, and only for those counties in which the Governor of New Jersey has declared a state of emergency, the Commissioner of DEP **may** temporarily suspend certain regulations pertaining to waste transportation and disposal, provided adequate environmental safeguards are maintained. **The solid waste regulated community must continue to comply with all applicable solid waste and recycling regulations found at N.J.A.C. 7:26-1 et seq. and N.J.A.C. 7:26A-1 et seq. respectively. This advisory does not authorize temporary suspension of the regulations; such suspension requires an executive order and case by case written approval from DEP.**

What is DEP doing?

The Department is currently updating its emergency debris guidance document which helps affected entities deal quickly, efficiently, and safely with this anticipated increase in waste. Should the Governor of New Jersey declare a state of emergency and the Department determine that a limited suspension of certain regulatory standards is necessary, an updated guidance document referenced above will then be posted on the Department's web site (see Hot Topics) at: www.state.nj.us/dep. A draft copy of this guidance will initially be available for planning purposes only. **If and when a relevant executive order is issued, the posted guidance will be dated and will no longer be labeled as draft.**

Under the guidance, the DEP **may** (upon order) temporarily allow for:

- Use of currently unregistered vehicles for waste transport
- Exceedance of waste tonnage limits
- Expanded hours of facility operation

The guidance document also addresses such waste management issues as:

- General Waste Handling
- Solid Waste Disposal Facility Pricing
- Emergency Storage
- Recycling in General
- Enforcement
- Additional Contact Information

COMPLIANCE ADVISORY

What should I do?

Follow all regulations unless or until an executive order is issued. In the event an executive order is issued and a need for temporary regulatory relief is required, then you should:

1. Read the updated guidance document at (*insert address*), ensure it is no longer labeled as draft
2. To use an unregistered vehicle for waste transport
 - a. Fill out temporary registration form (*Insert address*)
 - b. Fax form to DEP (609) 777-0769
 - c. Obtain any approvals in writing via fax
3. For solid waste and recycling facilities to request expanded tonnage limits, hours of operation or address other limitations
 - a. Call the DEP at (609) 292-9880
 - b. Obtain any approvals in writing via fax

Whom should I contact with questions?

During Business Hours:

Please contact **Robin Heston** at:

Or **Rai Belonzi** at:

New Jersey Dept. of Environmental Protection
Bureau of Transfer Stations and Recycling Facilities
P.O. Box 414
401 E. State Street
Trenton, NJ 08625
Robin.Heston@dep.state.nj.us
[\(609\) 292-9880](tel:(609)292-9880)

New Jersey Dept. of Environmental Protection
Bureau of Solid Waste Enforcement
300 Horizon Center, P.O. Box 407
Robbinsville, NJ 08625-0407
Rai.Belonzi@dep.state.nj.us
[\(609\)584-4184](tel:(609)584-4184)

Non-Business Hours: 1-877-WARNDEP (1-877-927-6337)

Where can I get more information?

The following web site can be accessed for additional information regarding this advisory:

Guidance Document: www.state.nj.us/dep

Visit the following Web site for general information:

Contact NJDEP: <http://www.nj.gov/cgi-bin/dep/contactdep.pl>

To comment on this advisory:

<http://www.nj.gov/dep/enforcement/survey.html>

Please note this advisory is intended to be a summary explanation of a department initiative. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the contact numbers listed above.