



New  
Jersey  
Department of  
Environmental  
Protection

COMPLIANCE ADVISORY

# Enforcement Alert

*Making You Aware of Anticipated Enforcement Activities*

Compliance and Enforcement

Issued: June 2011

#2011- 07

## DEP Steps up Enforcement of Transporters of Solid Waste, Regulated Medical Waste & Hazardous Waste

### Who is affected by this initiative?

“Persons and companies” that are engaged in the transportation of solid waste, regulated medical waste and hazardous waste or that lease waste transportation equipment are affected.

### What is Occurring?

As a transporter of solid or regulated medical or hazardous waste, you are required to own or lease the equipment registered with DEP. If your equipment is leased, you must submit a copy of the valid lease agreement and a certification to the Department when registering this equipment. The lease certifications state the registrant must **exercise exclusive use, possession and control** over each piece of solid waste equipment which is included in the application for a registration statement **while such equipment is used to transport solid waste**. The Department has become aware that some persons registered to transport solid, regulated medical or hazardous waste may be allowing their registration decals to be used by other non-registered persons. The Department has found that this activity typically occurs through the use of leases with non-registered persons, which is contrary to the Department’s solid waste regulations.

### What is DEP doing?

The DEP’s Transportation Oversight Unit has begun a thorough review of leases where required to be filed in connection with transporter registration statements to ensure they are in conformance with the regulations. The Department will investigate and take appropriate enforcement actions against persons where the leasing regulations are being violated.

### What should I do?

If your company is involved in leasing equipment from a lessor, you are required to exercise control over the use of the leased equipment while being used to transport solid waste in New Jersey. You are also responsible for the actions of your lessor, and must ensure you do not experience a loss of control of equipment you registered with the Department. Should you become aware that your lessor is using your company’s NJDEP transporter credentials to engage in the collection and transportation of waste in New Jersey for their own gain, you should remove the registration decals and registration cards from your lessor’s possession and notify your NJDEP Registration Unit customer representative that the decals should be inactivated from your company’s registration.

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## Who should I contact with questions?

Please contact the Department's Transportation Oversight Unit at (609) 292-6305 or at the following mailing address:

NJ Department of Environmental Protection  
Solid Waste Compliance & Enforcement  
Transportation Oversight Unit  
9 Ewing Street, Mail Code 09-01  
P.O. Box 420  
Trenton, New Jersey 08625-0420

## Where can I get more information?

- **Visit the following Web sites for additional information regarding this advisory:**  
Solid, Regulated Medical, and Hazardous Waste Transporter Regulations can be found at <http://www.nj.gov/dep/dshw/resource/rules.html>  
  
Lease certifications and leases may be obtained online at the Department's website at [http://www.nj.gov/dep/dshw/hwr/2011-2013\\_Lease\\_Attachment\\_Renewal.pdf](http://www.nj.gov/dep/dshw/hwr/2011-2013_Lease_Attachment_Renewal.pdf)
- **Visit the following Web site for general information:**  
Contact NJDEP: <http://www.nj.gov/cqi-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 Enforcement number listed above.