



Enforcement Alert

Making You Aware of Anticipated Enforcement Activities

Compliance and Enforcement

Issued: September 2, 2011

2011-10

DEP Addresses Debris Disposal Necessitated by Hurricane Irene

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 Hurricane Irene may cause severe weather conditions throughout the state including heavy rains, high winds, and severe localized flooding.

To enable safe and timely disposal of the temporary but dramatic increase in waste and debris that may result from this emergency, DEP Commissioner Bob Martin signed an Administrative Order on August 26, (<http://www.nj.gov/dep/commissioner/docs/ao2011-12.pdf>) to suspend certain regulations pertaining to waste transportation and disposal **in very limited circumstances, on a case-by-case basis, provided adequate environmental safeguards are maintained.**

This advisory does not convey any suspension of the regulations; such suspension will be granted only on a case-by-case basis, in writing, by authorized DEP officials.

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 et seq., N.J.A.C. 7:26H-1 et seq., and N.J.A.C. 7:26A-1 et seq. respectively.

What is DEP doing?

The Department has updated its emergency debris guidance document which helps affected entities deal quickly, efficiently, and safely with this anticipated increase in waste. The Governor of New Jersey has declared a state of emergency and the Department has determined that a limited suspension of certain regulatory standards may be warranted. The updated guidance document referenced above is posted on the Department's web site at <http://www.nj.gov/dep/dshw/> under "Helpful Links" or at <http://www.nj.gov/dep/dshw/resource/forms.htm>.

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

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What should I do?

1. Read the updated guidance document at <http://www.nj.gov/dep/dshw/> under "Helpful Links" or at <http://www.nj.gov/dep/dshw/resource/forms.htm>.

The Department has given a blanket authorization to all New Jersey state, county or municipal entities to allow for the transportation and disposal of solid waste using unregistered transportation equipment **provided such equipment is clearly marked with the name of the state, county or municipal entity. All other private vehicles contracted by a state, county or municipal entity must first notify the Department pursuant to the guidance in paragraph 2 below.** This temporary registration authorization shall remain in effect until **CLOSE OF BUSINESS**, September 27, 2011 or until such time as the Hurricane Irene state of emergency declared by Governor Christie's Executive Order #73 has concluded or Commissioner Martin's Administrative Order is rescinded, whichever of these three dates comes soonest.

All other transporters that do not have a current decal are **INELIGIBLE** for this extension and must register with the Department by doing the following:

2. To use an unregistered vehicle for waste transport
 - a. Fill out temporary registration form. This form can be found at <http://www.nj.gov/dep/dshw/> under "Helpful Links" or at <http://www.nj.gov/dep/dshw/resource/forms.htm>.
 - b. Fax form to DEP (609) 292-4539
 - c. Obtain any approvals in writing via fax

The Department has given a blanket authorization to all New Jersey permitted solid waste facilities and approved Class B and Class C recycling facilities to accept and process authorized solid waste/recyclable materials 24 hours/day starting on Monday, August 29, 2011 and ending on Monday, September 5, 2011.

An additional authorization has been granted to all solid waste facilities and approved Class B and Class C recycling facilities located in the following counties: Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, Union and Warren. This authorization allows permitted solid waste facilities and approved Class B and Class C recycling facilities to accept and process authorized solid waste-recyclable materials 24 hours/day beginning Tuesday, September 6 and ending on Monday September 12, 2011. Facilities that are located in a county that is not covered by this Authorization may submit a written request for additional hours to the Program.

Facilities must maintain compliance with all other requirements of their solid waste facility permits or recycling center approvals. **This approval applies only to hours of operation. Facilities seeking an increase in capacity must submit a written request to the Department.**

3. For solid waste and recycling facilities to request expanded tonnage limits, additional hours of waste acceptance and processing past the above noted 7 day period, or address other limitations:
 - a. Call the DEP at (609) 292-9880
 - b. Obtain any approvals in writing via fax

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Whom should I contact with questions?

During Business Hours:

Please contact **Robin Heston** at:

Or

Deborah Pinto for transporter questions at:

New Jersey Dept. of Environmental Protection
Bureau of Transfer Stations and Recycling Facilities
P.O. Box 420
Mail Code 401-04D
401 E. State Street
Trenton, NJ 08625-0420
Robin.Heston@dep.state.nj.us
(609) 292-9880

New Jersey Dept. of Environmental Protection
Bureau of Solid Waste Enforcement
P.O. Box 420
Mail Code 09-01
9 Ewing Street, 2nd Floor
Trenton, NJ 08625-0420
Deborah.Pinto@dep.state.nj.us
(609)292-6305

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

Where can I get more information?

Visit the following sites for additional information regarding this advisory:

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

Governor Christie's Executive order declaring weather state of emergency:

<http://www.state.nj.us/infobank/circular/eoindex.htm>

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.