



State of New Jersey

JON S. CORZINE
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
COUNTY ENVIRONMENTAL AND WASTE ENFORCEMENT
BUREAU OF HAZARDOUS WASTE COMPLIANCE AND ENFORCEMENT
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MARK N. MAURIELLO
Acting Commissioner

Dear Hazardous Waste Transporter:

As per a recent Court decision, the Department has adopted a new regulation regarding hazardous waste transporter fees [N.J.A.C. 7:26G-3.3(f)]. This regulation requires that all hazardous waste transporters will pay an annual registration fee based upon the tonnage of hazardous waste transported to or from New Jersey during the previous calendar year.

The previous fee structure was based on the number and type of hazardous waste transport units (i.e. vehicles) requiring decals and registered with the Department. As this has now been changed, registration decals will now be issued at no additional cost per vehicle already registered with us. The only exception would be for newly registered hazardous waste transporters applying after January 7, 2008. For these new registrants, an initial registration fee will be charged and a nominal fee added for more than five (5) vehicles reflecting the actual cost of the decal, as determined annually by the program. As per N.J.A.C. 7:26G-3.3(f) ii, the Department will adjust the fee for transporters on an annual basis. This will ensure the fee as calculated reflects the costs (increases or decreases) for the given operating year as opposed to establishing a set fee based on the duration of each rule cycle (5 years) and pursuant to the "sunset" provisions.

Revising the per ton rate annually, should avoid abrupt and steep increases in fees by metering costs yearly and, in the event of decreased costs, will ensure that the industry will benefit in the next immediate annual billing cycle. The Department will annually post the per ton rate on its web site at <http://www.nj.gov/dep/enforcement/hw-fees.html>.

For the current billing cycle of July 1, 2008 through June 30, 2009 (fiscal year), the cost per ton has been calculated to be \$0.84. This rate is calculated using the program costs for fiscal year 2009 and the tons transported during calendar year 2007. There will be a minimum fee of \$80.00 for those transporters who are currently active and registered but have either not transported waste in the previous calendar year or have transported fewer than 95 tons during that time. This fee is calculated based on the minimal time to register a vehicle, to recoup departmental costs.

New hazardous waste transporter applicants that are registering more than five vehicles and subsequently need more than five decals (with proof of motor vehicle registrations) shall be billed the actual cost for each decal, beyond the initial five. The fee shall be calculated and submitted with the initial DEP registration application. For State fiscal year 2009, the registration fee for a new hazardous waste transporter is \$80.00 plus \$ 0.12 per decal in excess of five.

The estimated per ton rate for State fiscal year 2010 is \$1.02 based on a program cost of \$865,511.00.

A copy of the Department's rule adoption can be found at http://www.nj.gov/dep/rules/adoptions/adopt_080107b.pdf. Please refer to this document should you have any questions pertaining to the regulation itself.

Should you have any questions or need more information regarding this new fee, please feel free to contact one of the persons listed below.

Manifest Inquiries, contact the Manifest Unit:

Ferdinand Scaccetti, Supervisor (609) 984-2162
Becky Mullen (609) 292-8164

Transporting and Registration Inquiries, contact the Licensing and Registration Unit:

A. Raimund Belonzi, Chief (609) 292-6305
Roxanne Feasel (609) 292-6305

Hazardous Waste Fees and Regulations Inquiries, contact the Compliance and Enforcement Unit:

John Barry, Section Chief (609) 292-6305
Michael Gage, Supervisor (609) 292-3860

Sincerely,



Wolfgang Skacel
Assistant Commissioner
Compliance & Enforcement