

THIS IS A COURTESY COPY OF THIS NOTICE. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE OCTOBER 6, 2014 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE NOTICE, THE OFFICIAL VERSION WILL GOVERN.

## **ENVIRONMENTAL PROTECTION**

### **Environmental Management**

#### **Division of Solid and Hazardous Waste**

##### **Hazardous Waste**

##### **Readoption: N.J.A.C. 7:26G with technical changes**

Authority: N.J.S.A. 13:1E-1 et seq., 13:1B-3, 13:1D-1 et seq., 13:1E-9, 13:1D-125 et seq., 26:2C-1 et seq., 47:1A-1 et seq., 58:10-23.11, and 58:10A-1 et seq.

Authorized by: Bob Martin, Commissioner, Department of Environmental Protection.

Effective Date: September 5, 2014

New Expiration Date: September 5, 2021

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the Hazardous Waste rules at N.J.A.C. 7:26G are readopted and shall continue in effect for a seven-year period. The rules had been scheduled to expire on October 11, 2014. The Department of Environmental Protection (Department) has reviewed these rules and has determined that the rules should be readopted, with technical changes to update the Department's addresses and contact information throughout the chapter, because they are necessary, reasonable and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1(c), timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.

The Hazardous Waste rules at N.J.A.C. 7:26G implement the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq., and incorporate by reference the Federal hazardous waste regulations, which were mandated by the Resource Conservation and Recovery Act of 1976, as amended by the 1984 Hazardous and Solid Waste Amendments, 42 U.S.C. §§6901 et seq. Since 1999, the Hazardous Waste rules have

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incorporated by reference not only existing Federal regulations, but also future amendments (prospective incorporation). The Hazardous Waste rules govern management of hazardous waste generation; registration, operation, maintenance and closure of hazardous waste treatment, storage, or disposal facilities; registration, operation and maintenance of hazardous waste transportation vehicles; the operation of transfer facilities; fees charged for services provided by the Department to hazardous waste facilities, generators and transporters; and civil administrative penalty assessments and requests for adjudicatory hearings.

**Full text** of the adopted technical changes follows (additions indicated in boldface with asterisks **\*thus\***; deletions indicated in brackets with asterisks \*[thus]\*):

#### 7:26G-1.5 Document availability

(a) Copies of the C.F.R. (40 C.F.R. Parts 124, 260 through 266, 268, 270 and 49 C.F.R. Parts 71 through 180 and 390 through 397) as adopted and incorporated by reference herein are available for review. Publications incorporated by reference within the Code of Federal Regulations as listed at 40 C.F.R. 260.11, or the most currently available version, are also available for review. These may be reviewed by contacting the Department at:

New Jersey Department of Environmental Protection

Division of Solid and Hazardous Waste

**\*Mail Code: 401-02C\***

PO Box \*[414]\* **\*420\***

Trenton, NJ 08625-\*[0414]\* **\*0420\***

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Telephone: (609) \*[984-3438]\* **\*633-1418\***

(b) - (d) (No change.)

7:26G-2.3 Procedures to request an administrative hearing to contest an administrative order or a notice of civil administrative penalty assessment, and procedures for conducting administrative hearings

(a) To request an administrative hearing to contest an administrative order and/or a notice of civil administrative penalty assessment issued pursuant to the Act, the violator shall submit the following information in writing to the Department, at:

Office of Legal Affairs

ATTENTION: Administrative Hearing Requests

Department of Environmental Protection

**\*401 East State Street, 7th Floor\***

**\*Mail Code: 401-04L\***

PO Box 402

Trenton, NJ 08625-0402

1.-6. (No change.)

(b) - (d) (No change.)

7:26G-4.1 Incorporation by reference

(a) - (b) (No change.)

(c) The following provisions of 40 C.F.R. Part 260 are incorporated by reference with the specified changes:

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1. - 12. (No change.)

13. Appendix I to Part 260 last paragraph, after "encouraged to write to EPA" add "and the Department"; after "(513) 684-5362" add "and New Jersey Department of Environmental Protection, **\*Division of\*** Solid and Hazardous Waste **\*[Regulation Program]\***, **\*Mail Code: 401-02C\***, PO Box **\*[422]\* \*420\***, 401 East State Street, Trenton, NJ 08625-**\*[0422]\* \*0420\***, **\*[(609)292-2014]\* \*(609) 633-1418\***."

(d) - (f) (No change.)

7:26G-16.4 Administrative procedures and appeals for requests for information

(a) - (j) (No change.)

(k) Requests for information should be addressed to:

**\*[Information Officer**

**Division of Solid and Hazardous Waste**

**120 South Stockton Street**

**CN 414**

**Trenton, New Jersey 08625-0414]\***

**\*NJ Department of Environmental Protection**

**Division of Solid and Hazardous Waste**

**Mail Code: 401-02C Attention: Information Officer**

**P.O. Box 420**

**Trenton, NJ 08625-0420\***