



New Jersey Department of Environmental Protection  
Division of Sustainable Waste Management

**RECYCLED CONTENT WAIVER APPLICATION FORM**

To apply for a waiver from the postconsumer recycled content requirements of New Jersey's Recycled Content Law (N.J.S.A. 13:1E-99.135-157), the Facility Contact, as identified in the manufacturer's registration, must complete, and submit this form. Only manufacturers that have registered with the New Jersey Department of Environmental Protection are eligible to submit a waiver application. If the manufacturer has not yet registered, please visit [Manufacturer Registration](#). Applications received from unregistered manufacturers will be denied.

Please note that the manufacturer will be billed a \$1,000 waiver application fee upon receipt of this application unless the manufacturer generated less than \$5,000,000 in gross revenue.

*Disclaimer: The waiver request form has been developed as a fillable PDF file. In order to properly complete the form, the file must be opened in Adobe Acrobat Reader with a version of XI or higher. Adobe Acrobat Reader is a free software available for download at <https://get.adobe.com/reader/>.*

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**SECTION A. CONTACT INFORMATION**

Please provide the following information. The contact information provided must match the information provided for the Facility Contact in the manufacturer's registration.

**Manufacturer Name:** \_\_\_\_\_

**Manufacturer Website:** \_\_\_\_\_

**Federal Tax ID:** \_\_\_\_\_ **Facility ID (assigned at registration):** \_\_\_\_\_

**First Name of Contact:** \_\_\_\_\_ **Last Name of Contact:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_ **Ext.:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Municipality:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip Code:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

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**SECTION B. PROPRIETARY INFORMATION AND TRADE SECRET IDENTIFICATION (Optional)**

Does the manufacturer consider any details contained in this waiver application to be proprietary information or a trade secret prohibited from disclosure pursuant to N.J.S.A. 13:1E-99.151?

☐ YES

☐ NO

If yes, please ensure all proprietary information and trade secrets are presented on separate pages within this application and identify which pages must be kept confidential below.

**Pages containing proprietary information or trade secrets:** \_\_\_\_\_

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## SECTION C. REGULATED CONTAINER AND PACKAGING PRODUCT CHECKLIST

Please select all categories of regulated containers or packaging products for which the manufacturer is applying for a waiver:

- ☐ Rigid Plastic Containers
- ☐ Plastic Beverage Containers
- ☐ Glass Containers
- ☐ Paper Carryout Bags
- ☐ Plastic Carryout Bags
- ☐ Plastic Trash Bags

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## SECTION D. IDENTIFICATION OF BRANDS AND PRODUCTS REQUESTING A WAIVER

Please provide a list of all regulated containers and packaging products for which the manufacturer is applying for a waiver. Each regulated container and packaging product included on this list must match a product described on the *Regulated Containers and Packaging Products Spreadsheet* that was submitted with the manufacturer's registration. If this waiver application applies to all regulated containers and packaging products listed on that spreadsheet, you may upload a copy of the spreadsheet here.

Attachment Upload

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## SECTION E. REASON FOR WAIVER APPLICATION

Please specify the reason(s) why you are applying for a waiver from the postconsumer recycled content requirements for the regulated containers and packaging products identified in Section C above.

Select all that may apply:

The manufacturer must remain in compliance with applicable rules and regulations adopted by the United States Food and Drug Administration or any other State or Federal law, rule or regulation.

It is not technologically feasible for the manufacturer to achieve the postconsumer recycled content requirements.

Inadequate availability of recycled material or substantial disruption in the supply of recycled material.

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## SECTION F. DOCUMENTATION UPLOAD

Please upload documentation demonstrating that the manufacturer cannot comply with the applicable postconsumer recycled content requirements in accordance with N.J.S.A 13:1E-99.145. Multiple files may be uploaded, if necessary, but each file will need to be uploaded separately using the Attachment Upload button below until all files have been uploaded.

Before uploading documentation, please make sure the type of documentation is indicated somewhere within the file (e.g., certified third-party expert, federal or state agency, etc.).

If the waiver is due to a conflicting state or federal law, rule, or regulation, a copy of the applicable law, rule, or regulation that precludes compliance with the postconsumer recycled content requirements must be provided along with the appropriate citation for that law, rule, or regulation.

Certified third-party experts may consist of external labs, certification entities, universities, or equivalent accredited organizations. Use of internal experts, such as labs owned, operated, or affiliated with the manufacturer, will not be accepted.

Attachment Upload

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## SECTION G: STATEMENT OF PROPOSED ACTIONS

Waivers are intended to provide manufacturers with temporary relief from the law's postconsumer recycled content requirements. If approved for a waiver, manufacturers are expected to take all feasible actions to ensure the reduction, collection, recycling, and reuse of rigid plastic containers, plastic beverage containers, glass containers, paper carryout bags, plastic carryout bags, or plastic trash bags made from non-postconsumer recycled plastic, glass, or paper, as applicable, and to ensure the use of postconsumer recycled content for the duration of the approved waiver.

Please provide a detailed description below of all proposed actions that will help the manufacturer achieve and maintain compliance with all applicable requirements upon expiration of an approved waiver.

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## SECTION H: CERTIFICATION

This certification shall be signed by the Facility Contact in accordance with N.J.S.A. 13:1E-99.135-157.

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for willfully submitting false information, including the possibility of fines and enforcement action by the New Jersey Department of Environmental Protection.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Name/Title:** \_\_\_\_\_

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## **SECTION I: SUBMISSION**

Once complete, please save and submit to [recycledcontent@dep.nj.gov](mailto:recycledcontent@dep.nj.gov) with “Waiver Application Form Submission – [INSERT MANUFACTURER NAME]” in the subject line.

Upon receipt of this waiver application, the DEP will review the manufacturer’s registration to determine if the manufacturer is exempt from the waiver application fee. If not exempt, the manufacturer will be billed \$1,000. This waiver application will not be reviewed until payment is received.

Please note that the DEP may require submission of an alternative compliance plan as part of this application. The manufacturer will be notified if an alternative compliance plan is required upon receipt of a complete waiver application, including any applicable fee.

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