

**New Jersey Department of Environmental Protection
March 10, 2011**

Guidance Document:

**Dealing with Increased Waste Generation
in the Aftermath of the Severe Weather Conditions of March 10-11,
2011**

I. Purpose

Governor Christie has declared a state of emergency for the State of New Jersey due to severe weather conditions that started on March 9, 2011. The Department of Environmental Protection (Department) anticipates a short, but dramatic increase in waste which will need to be safely and timely disposed. This guidance document has been prepared to assist counties, municipalities, solid waste facilities, recycling facilities, and other impacted entities deal quickly and safely with this anticipated short-term increase in waste. The provisions of this guidance document are effective immediately and are valid until such time as the Department officially rescinds this guidance.

II. Legal Authority

The Department is acting under the authority of Governor Christie's Executive Order #57 dated March 9, 2011, Commissioner Martin's Administrative Order 2011-02 dated March 10, 2011, the Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.) and the Solid Waste Utility Control Act (N.J.S.A. 48:13A-1 et seq.).

III. Capacity Increases/Additional Waste Types at Solid Waste Permitted Facilities and Recycling Facilities

The Department will consider temporary exceedances of permitted capacity and/or hours of operation at solid waste facilities, recycling facilities, and requests for authorization to accept additional solid waste types on a case-by-case basis. Authorization must be obtained prior to additional waste and/or recyclable materials acceptance and is applicable until such time as this guidance is rescinded by the Department. All approvals must be in writing from the Department; no verbal approvals will be given. Additionally, such increase in waste and/or recyclable material will not count towards a facility's annual or daily capacity limit, if applicable. To expedite this approval process, the Department needs the applicant to provide the following information certified and in writing, mailed or faxed:

- ♦ Estimate of additional tonnage and waste and/or recyclable material types;

- ◆ Physical and chemical characteristics of the waste and origin;
- ◆ Conditions of the permit which may/will be exceeded;
- ◆ Current storage capacity and/or limitations;
- ◆ Hours and days of operation;
- ◆ Whether the waste will be processed prior to receipt and if, so how;
- ◆ Reasons exceedance should be approved(especially if there is other local capacity available)

For solid waste storage, transfer and treatment facilities, all environmental discharge and emission limits must continue to be met. This emergency action only allows increased waste acceptance until this guidance is rescinded by the Department if environmental limitations are met.

Be advised that is the applicant's responsibility to ensure that its actions are also in compliance with, and approved by, any other agency that has jurisdiction. The Department will make every effort to assist the applicant in coordinating all necessary approvals.

IV. General Waste Handling

The Department encourages the separation of waste materials by type whenever possible. It is especially important to properly separate out and bag putrescible materials (for example, food wastes and other waste that cause odors and/or attract insects, rodents and other animals) so that they may be picked up on a priority basis. Additionally, household hazardous waste should be separated from other wastes so that it may be handled in an environmentally safe manner. Waste separation is important to minimize odors and vector problems.

Since these materials have been contaminated with flood waters, employees should be reminded of the importance of wearing personal protection such as gloves and should practice proper personal hygiene such as no smoking or eating on the job and appropriate handwashing.

In addition, materials which can be recycled such as branches, certain construction and demolition debris, etc., should be separated from those that must be disposed of as waste. This will facilitate the flow of these materials to recycling facilities and reduce the burden on solid waste disposal operations. Additionally, separation of waste by type may also reduce costs, as generally waste disposal costs more than recycling.

V. Transporter Registration

In those areas where non hazardous solid waste can not be timely collected by licensed and certificated solid waste collectors, the Department will relax its transporter registration requirements (N.J.A.C. 7:26-3.2.) for National Guard vehicles, county, and municipal vehicles to meet the solid waste collection and disposal needs of their

communities. Vehicles from hospitals, nursing homes and other health care facilities may also haul waste from such institutions without transporter registration certificates until such time as this guidance is rescinded by the Department. Newly leased and/or rented vehicles may also be used should counties, municipalities, or health care facilities find them necessary to cope with the increased volumes of waste. The Department must be notified if any county/municipal/ health care facility vehicles will be used prior to putting them in service. Such notifications should be faxed to the Department at (609) 292-4539 and shall include the following information:

- Public entity name
- Contact name
- Contact phone & fax #'s
- Name of company/agency owning the equipment
- DEP waste transporter registration # (if any)
- Type of equipment (eg: truck, roll-off, trailer, container)*
- Vehicle Identification Number (VIN)*
- License Plate # & State*
- Dates to be in service
- Municipality/County to be serviced

The above information must be legible and shall be accompanied by a printed and signed request by the above noted contact individual or responsible party. Asterisked (*) information regarding multiple vehicles/equipment should be listed in tabular form.

The Department will review the above information and, if appropriate, grant a Temporary Registration in writing. A copy of the Temporary Registration shall be maintained in the vehicle and be available for inspection by NJDEP and the receiving solid waste facility.

VI. Solid Waste Disposal Facility Pricing

Solid waste disposal facilities are reminded that any rate they may charge must be in accordance with their approved tariff on file with the Department. Moreover, the Department has the authority to review any rate which a facility may charge upon complaint or on its own initiative to determine whether the rate is reasonable. The current state of emergency should not result in excessive rate increases at solid waste disposal facilities.

VII. Emergency Storage

In the event that the duration of the emergency and the particular waste handling situation of a locality results in potential public health and safety risks, it may be necessary for the locality to consider allowing temporary solid waste storage sites for non-putrescible wastes and/or household hazardous waste. These sites may exist until such time as the Department rescinds this guidance and should be established in areas capable of maximum feasible containment of the materials (preferably a paved surface) with adequate provisions for stormwater run off, vector control, and security (preferably a fenced area). Such site should not be located in environmentally sensitive areas such as

wetlands or delineated flood plains. Once these sites are selected, the Department should be notified as to the location of the site, its anticipated height, and any other relevant information. Finally, proper precautions should be taken to minimize risk to health and safety at these sites, such as the proper separation and bagging where necessary.

With respect to the storage of hazardous waste by regulated entities, an exemption to the hazardous waste 90 day storage limit is available. Requests for extensions should be made to the regional hazardous waste compliance and enforcement office as indicated at the end of this guidance.

VIII. Recycling

Curbside collection and recycling drop-off centers should operate as usual whenever possible. The Department recommends that should non-recyclables, garbage or putrescible wastes be illegally dumped at a recycling center, the municipality consider discontinuing operations until the declared emergency ends.

The Department recognizes that frequency of recyclables collection may need to be altered to maximize garbage collection or that drop-off centers may need to be partially or completely closed to accommodate temporary emergency storage of solid waste given that there may be no alternate site.

IX. Enforcement

The Department will notify appropriate state enforcement programs of the location of any temporary emergency storage areas, use of county/municipal/health care vehicles for collection of solid waste, and approved increases in capacity or waste type acceptance at permitted solid waste or recycling facilities. No State enforcement action with respect to these activities will be taken during the period this guidance is in effect against entities which have duly contacted the Department, received approval, and are operating in accordance with said approval. The Department will make every effort to coordinate its State enforcement with Federal enforcement programs where applicable.

X. Additional Assistance and/or Contacts

The Department acknowledges that the above guidance may not address all situations which arise. (For example, the guidance does not address issues concerning hazardous waste disposal.) You may contact the following programs for additional information and/or help in dealing with your specific situation:

NJDEP Environmental Hotline:

1-877-WARNDEP

Solid Waste Permitting:

Landfills	(609) 984-6985
Resource Recovery	(609) 984-6985
Transfer Stations	(609) 984-9880
Hazardous Waste Permitting:	(609) 292-6985
Transporter Information	(609) 292-7081
Air Permitting	(609) 633-8220
Recycling Facilities/Information	
Class A (bottles, plastic, cans, etc.)	(609) 984-3438
Class B (Construction & Demolition)	(609) 292-9880
Class C (Compost)	(609) 292-9880
Class D (Used Oil)	(609) 984-6985
Enforcement Offices	
Bureau of Solid Waste Compliance & Enforcement	(609) 292-6305
Bureau of Hazardous Waste Compliance & Enforcement	
Northern Field Office	(973) 656-4470
Central Field Office	(609) 943-3019
Southern Field Office	(856) 614-3658

County Solid Waste Contacts:

(Additional contact information is available at <http://www.nj.gov/dep/dshw/recycling/swmoff.htm>)

Atlantic	(609) 272-6913
Bergen	(201) 807-5818
Burlington	(609) 499-1001
Camden	(856) 858-5211
Cape May	(609) 465-9026
Cumberland	(856) 825-3700
Essex	(973) 792-9060
Gloucester	(856) 848-4002 ext. 500
Hudson	(201) 795-4555
Hunterdon	(908) 788-1110
Mercer	(609) 278-8100
Middlesex	(732) 745-4170
Monmouth	(732) 431-7460
Morris	(973) 285-8391
NJMC	(201) 460-1700
Ocean	(732) 506-5047
Passaic	(973) 305-5736
Salem	(856) 935-7900
Somerset	(908) 231-7681

Sussex
Union
Warren

(973) 579-0500
(732) 382-9400
(908) 475-6532