

**New Jersey Department of Environmental Protection  
Revised September 9, 2011**

**Guidance Document:**

**Dealing with Increased Waste Generation  
in the Aftermath of Hurricane Irene**

**I. Purpose**

Governor Christie declared a state of emergency for the State of New Jersey due to Hurricane Irene. 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 #73 dated August 25, 2011, Commissioner Martin's Administrative Order #AO2011-12 dated August 26, 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 initially provided 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 was 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 allowed 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. Due to continued flooding and significant debris issues, the Department has again extended this additional authorization until Saturday, October

8, 2011 for New Jersey permitted solid waste facilities and approved Class B and Class C recycling facilities **in the noted flood stricken counties only. This authorization applies only to hours of operation. Facilities seeking an increase in capacity must submit a written request to the Department.** 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.**

The Department will consider authorization requests from solid waste and recycling facilities for expanded tonnage limits, additional hours of waste acceptance and processing past the above noted period, or relief from other limitations 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 or as otherwise specified in the approval. 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 applicable 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.

The applicant is responsible for ensuring that its actions are in compliance with, and approved by, any other governmental entity that has jurisdiction. The Department will make every effort to assist the applicant in coordinating all necessary approvals.

#### **IV. General Waste Handling**

It is important to note that the Department has not relaxed any rules allowing the commingling of waste types. **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, electronics, and appliances must 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, please be reminded of the importance of wearing personal protection such as gloves and practicing 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 nonhazardous solid waste cannot be timely collected by licensed and certificated solid waste collectors, the Department may 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 be authorized to temporarily 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 manage increased volumes of waste associated with post-hurricane cleanup.

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 solid waste transporters must apply for approval to the Department pursuant to the guidance below.** This temporary registration authorization to governmental entities shall remain in effect until **CLOSE OF BUSINESS**, October 8, 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.

This temporary registration is limited to solid waste transportation equipment clearly marked with the name of the state, county or municipal entity. All other licensed commercial solid waste transporters must do the following:

To obtain a temporary registration

- 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
- d. Call NJDEP at (609) 292-6305 if you have questions.

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.

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/Staging Areas**

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. **Pre-approval from the Department is required before any waste may be staged at such locations.** Temporary staging operations should be established in areas capable of maximum feasible containment of the materials with adequate provisions for stormwater run off, and vector control; they should not be located in environmentally sensitive areas. To request authorization to temporarily store solid waste, provide the following information to the Department via fax at (609) 633-9839:

- 1) location of the site,
- 2) time frame for temporary storage;
- 3) anticipated length, width, and height of waste storage;
- 4) assurance that the staging area is paved, secured (or has security), and not located within a flood hazardous area;
- 5) documentation of endorsement by the County Solid Waste Planning Agency and the Office of Emergency Management and that the affected municipality has been notified; and
- 6) any other relevant information.

Finally, proper precautions should be taken to minimize risk to health and safety at these sites, such as separation and bagging where necessary.

Hazardous waste storage facilities may seek an exemption to the hazardous waste 90 day storage limit by application with the Department. 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**

The Department expects compliance with all recycling requirements. 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. The Department must be notified of any interruption in regular recycling collection or the partial or complete closure of drop-off centers.

### **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) 292-9880

Hazardous Waste Permitting: (609) 984-6985

Transporter Information (609) 292-7081

Air Permitting (609) 292-0834

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 & UST Compliance  
& Enforcement

Northern Field Office (973) 656-4470

Central Field Office (609) 292-3962

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 ext. 12

Somerset (908) 231-7681

Sussex (973) 579-0500 ext. 1330

Union (732) 382-9400

Warren (908) 475-6532