



Enforcement **ALERT**

Making You Aware of Anticipated Enforcement Activities

Compliance & Enforcement

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DEP Steps Up Enforcement of Small Solid Waste Transporters

Who is affected by this initiative?

Almost anyone transporting waste in NJ. The only way you are **not** affected is if:

1. you are hauling waste that you generated at your own home, and
2. the waste is being hauled in passenger type vehicles with a gross vehicle weight of less than 9000 lbs.

For example: a do-it-yourself homeowner working on a home remodeling project and transporting the construction debris in his pickup truck for disposal is not affected.

**In all other cases vehicles used to transport waste must be registered with DEP
Further, businesses in certain other cases must be licensed with DEP**

Registration is required by anyone transporting Solid Waste generated by themselves at a work site that is not their home. These might include:

- contractors
 - roofers
 - landscapers
 - etc.
- } (all hauling waste they created themselves)

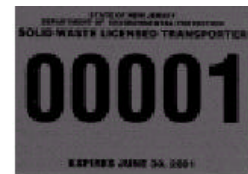


Because these people do not haul waste as primary function of their operation they are "exempt" from filing Disclosure Statements (known as A901) and therefore, they are subject to lower regulatory standards and DO NOT receive a license. These registrations are considered "A-901 Exempt" but still must display the double cross-hatched/striped A-901 EXEMPT Solid Waste Decal on each vehicle that transports waste.

Licensing is required for anyone transporting Solid Waste generated by someone else and might include:

- large commercial haulers
- contractors hauling waste for others
- mattress/bedding removal
- commercial basement cleanouts or estate buyouts
- furniture dealers doing removal/disposal

Because these people haul waste they did not generate they must file their Disclosure Statements, meet the Solid Waste Licensing requirements, and pass an Integrity Review by the New Jersey State Police and Attorney General's Office. These haulers must have solid colored A901 LICENSED Solid Waste Decals displayed.



Why is DEP Enforcement targeting small solid waste transporters?

The DEP, in conjunction with County Health Departments, has undertaken a small hauler initiative to ensure that solid waste is transported in an environmentally sound manner only by appropriately

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registered, licensed, and placarded (decaled) vehicles. Licensed haulers have complained that they are put at a competitive disadvantage by unregistered haulers or haulers that are registered as "exempt" or self-disposers. Many haulers transporting waste in unregistered vehicles, although not needing to become a commercially licensed entity, still must register their vehicle(s) with DEP as "exempt" haulers and obtain DEP Solid Waste vehicle decals.

What is DEP doing?

Since November 2002, the DEP and the counties have been intensively monitoring vehicles utilizing disposal facilities and investigating haulers who claim to be transporting only their own generated waste but who in fact may be hauling waste generated by others. The DEP is also looking at haulers who may be operating without any registration at all, when in fact they need to be registered and decaled as "exempt" haulers. The initial results indicate that unregistered or under registered haulers are a pervasive problem with over 80 violations issued since the start of this program in November. Therefore, the DEP, along with the counties, will further expand this initiative to include additional facility inspections and roadside stops. The DEP through this initiative is attempting to place everyone who hauls solid waste in New Jersey on notice and to ensure that only legitimate, licensed, and registered transporters conduct solid waste collection and transportation activities in New Jersey. Those that seek to circumvent the state's regulations by hauling waste in unregistered vehicles or by unlicensed companies will be vigorously pursued and enforced against, including penalties and loss of license.

What should I do?

If you are hauling solid waste of any kind in New Jersey and you meet the criteria, you must be licensed and/or registered before hauling any more waste! Do not put this off! If the DEP observes you hauling waste in an unregistered vehicle, it may be too late to avoid a court hearing and penalty assessment.

Who should I contact with questions or to register?

**Division of Solid and Hazardous Waste
Licensing & Registration Unit**

609-292-7081

Division of Law Environmental Enforcement A901 Unit

609-292-6018

Where can I get more information?

The following web sites can be accessed for additional information:

Solid & Hazardous Waste <http://www.state.nj.us/dep/dshw/>
A-901 Forms Online <http://www.state.nj.us/dep/dshw/a901/a901frms.htm>
Enforcement <http://www.state.nj.us/dep/enforcement/advisories>
DEP news release <http://www.state.nj.us/dep/newsrel/>
NJ Solid & Hazardous Transporters' Quick Access Guide Book 2002-2003
<http://www.state.nj.us/dep/dshw/resource/shwtqagb.pdf>

Please note this advisory is intended to be a summary explanation of a department initiative. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the Enforcement number listed above.

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