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ENVIRONMENTAL PROTECTION

OFFICE OF LEGAL AFFAIRS

Notice of Receipt of Petition for Rulemaking

Solid Waste; Regulated Medical Waste, Generator Recordkeeping, N.J.A.C. 7:26-3A.21

Petitioner: New Jersey State Funeral Directors Association, Inc.

Take notice that on February 21, 2014, the Department of Environmental Protection (Department) received a petition for rulemaking from the New Jersey State Funeral Directors Association, Inc. (petitioner). The petitioner requests that the Department amend the Solid Waste rules at N.J.A.C. 7:26-3A.21, Generator recordkeeping, to exclude from the Regulated Medical Waste annual reporting threshold calculation at N.J.A.C. 7:26-3A.21(d) embalming effluent (quantities of blood and blood product that are discharged or removed from a human as part of the embalming process) that is disposed of into a sanitary sewer system.

The petitioner alleges that the effluent is not being transported and/or disposed of off-site; its inclusion in the calculation of Regulated Medical Waste annual reporting threshold unintentionally resulted in more than 500 small generators being included in the regulated medical waste reporting system when the Department is seeking to eliminate such generators from the reporting process; and the waste is already excluded for fee calculation purposes. The requested rule amendment is, according to the petitioner, consistent with the State's objective to eliminate unnecessary paperwork for small businesses.

In accordance with N.J.A.C. 1:30-4.2, the Department will subsequently mail to the petitioner and file with the Office of Administrative Law a notice of action on the petition.