

**New Jersey Department of Environmental Protection
Revised October 29, 2012**

Guidance Document:

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

I. Purpose

The Department of Environmental Protection (Department) anticipates a temporary, 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.

II. Legal Authority

The Department will be acting under the authority of Governor Christie's Executive Order, Commissioner Martin's Administrative Order, 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 has given 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 through November 9, 2012.

Facilities must maintain compliance with all other requirements of their solid waste facility permits or recycling center approvals. **This approval applies only to hours of operation. Facilities seeking an increase in capacity must submit a written request to the Department.**

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 12 day 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prior to additional waste and/or recyclable materials acceptance and is applicable until such time as this guidance is rescinded by the Department or in accordance with the approval letter. 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, faxed or submitted to solidwasteemergencies@dep.state.nj.us :

- ◆ 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, and in specific instances state and/or federal law requires, 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. Furthermore, consumer electronic items including TV's, computers and monitors are prohibited from disposal as solid waste, as are appliances (refrigerators, dehumidifiers, air conditioners) containing state and federally-regulated refrigerants.

Since these materials have possibly 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 may relax its transporter registration requirements (N.J.A.C. 7:26-3.2.).

Under storm-related executive and administrative orders, 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 unmarked or private vehicles contracted by a state, county or municipal entity must first notify the Department pursuant to the guidance below.** This temporary registration authorization shall remain in effect until noted in a future DEP Compliance Advisory or will terminate with the earliest effective end date of either the Governor's Executive Order or Commissioner's Administrative Order.

Use of any other unmarked, unregistered vehicles must be approved in writing by the Department. These may include newly leased and/or rented vehicles should public entities find them necessary to cope with the increased volumes of waste. Vehicles from hospitals, nursing homes and other health care facilities may also be authorized to temporarily haul waste.

To use an unmarked, unregistered vehicle for waste transport

- a. Fill out temporary registration form. This form can be found at <http://www.nj.gov/dep/dshw/resource/forms.htm>.
- b. Email form to SolidWasteEmergencies@dep.state.nj.us or fax form to DEP (609) 292-4539
- c. Obtain any approvals in writing via fax
- d. Keep a temporary registration approval document in each vehicle

The Department will review each request and, if appropriate, grant a Temporary Registration in writing. A copy of the Temporary Registration must be maintained in each 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, a request must be submitted to the Department for approval. The request shall include the location of the site, its anticipated dimensions including pile height, and any other relevant information. Proper precautions should be taken to minimize risk to health and safety at these sites, such as the proper separation and bagging where necessary. **Please refer to the guidance document Titled Emergency Debris Planning Fact Sheet, that is posted on the Department's front page - Hurricane Sandy link.**

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) 292-9880

Hazardous Waste Permitting: (609) 984-6985

Transporter Information (609) 292-7081

Air Permitting (609) 292-0138

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