

## **NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Environmental Regulation

Solid and Hazardous Waste Management Program

Compliance and Enforcement

Division of County Environmental and Waste Enforcement

### **Notice of Rule Proposal**

**Proposed Readoption without Amendments: N.J.A.C. 7:26**

### **Public Notice**

Take notice that the NJ Department of Environmental Protection is proposing to readopt without amendments the Solid Waste rules at N.J.A.C. 7:26. As required by Executive Order No. 66(1978) and N.J.S.A. 52:14B-1 et seq. (P.L. 1995, c.65), the Department has examined the Solid Waste rules (including those aspects that are more stringent than the Federal program) and has determined that they remain necessary and reasonable for the protection of the environment and the public health, safety and welfare, and are proper for the purpose for which they were originally promulgated. As noted in the notices of extension of the expiration date for these rules, since May 2007, the Department has been developing amendments that are intended to streamline, strengthen and clarify the rules (see 39 N.J.R. 2248(c), 39 N.J.R. 5081(b), 40 N.J.R. 3718(a) and 40 N.J.R. 6965(a)). In view of the quantity and complexity of those amendments, the Department has determined that it will readopt the rules without amendment at this time and that it will publish a separate proposal containing those amendments in the near future.

Note that the Department has separately proposed amendments to the Solid Waste rules at N.J.A.C. 7:26-2.1 and 2D.1 that are intended to bring rail carriers that transfer noncontainerized solid waste to and from rail cars under full solid waste facility permitting consistent with the Federal Railroad Safety Improvement Act. See 40 N.J.R. 6507(b) (November 17, 2008). A public hearing on that proposal was held on December 15, 2008 and the 60-day comment period closed on January 2, 2009.

The proposal is scheduled to be published in the New Jersey Register dated June 1, 2009. A copy of the proposal is available from: the DEP web site; official repository libraries; LexisNexis Customer Service at (800)223-1944 or [www.lexisnexis.com/bookstore](http://www.lexisnexis.com/bookstore). Be advised that there may be a fee for obtaining a copy of the proposal from some sources.

Written comments must be submitted by July 31, 2009 to:

NJ Department of Environmental Protection  
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