



Enforcement **Alert**

Making You Aware of Anticipated Enforcement Activities

Compliance and Enforcement

Issued: November 2011

2011-16

DEP Addresses Debris Disposal Necessitated by 10/29/11 Winter-like Storm Event

Who is affected by this initiative?

Solid waste coordinators, county and municipal staff or officials, waste and recyclable materials transporters, recycling facilities and other entities involved with waste transportation and disposal within New Jersey.

What is occurring?

On October 29, 2011, New Jersey experienced high winds, rain, snow, and mixed precipitation throughout the State causing significant damage to trees, power outages, and coastal, stream, and river flooding.

What is DEP doing?

To enable safe and timely disposal of the temporary but dramatic increase in waste (the bulk of which will be debris) that has resulted from this emergency, DEP Commissioner Bob Martin signed an Administrative Order on November 3, 2011 to waive, modify, or suspend certain regulations pertaining to debris transportation, storage, processing, and recycling and/or disposal **in very limited circumstances, on a case-by-case basis, provided adequate environmental safeguards are maintained.**

This advisory does not convey any suspension of the regulations; such suspension will be granted only on a case-by-case basis, in writing, by authorized DEP officials.

The solid waste and recyclable materials regulated community must continue to comply with all applicable solid waste and recycling regulations found at N.J.A.C. 7:26 et seq., N.J.A.C. 7:26H-1 et seq., and N.J.A.C. 7:26A-1 et seq. respectively.

What should I do?

Transportation of Debris

The Department anticipates the majority of debris resulting from this storm event will be recyclable materials such as trees, tree branches, and brush. No additional authorization from the Department is necessary to transport these materials as the Department does not require businesses that transport **only recyclable materials** to be licensed with the Department.

Temporary Staging Areas and Facilities that process/recycle tree and brush debris

The Department will consider approving temporary areas to stage debris and/or temporary exceedances of capacity, hours of operation, authorization to accept additional recyclable materials, or relief from other limitations at recycling facilities on a case-by-case basis. **The Department will**

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not entertain, however, requests for exceedance of approved pile heights at recycling facilities.

Authorization must be obtained prior to setting up a temporary staging area or receipt of additional recyclable materials at recycling facilities. Such temporary approval is in effect until such time as indicated in the approval. All approvals must be in writing from the Department; no verbal approvals will be given. To expedite this approval process, the Department needs the applicant to provide the following information, as applicable to the request, certified and in writing, mailed or faxed:

For temporary storage areas:

- location of the site,
- anticipated height of debris storage and maximum volume of storage area;
- duration of time the temporary storage area will be in operation;
- assurance that the staging area is secured and not located within a flood hazardous area;
- documentation of endorsement by the county Office of Emergency Management; and
- any other relevant information.

For recycling facilities

- Estimate of additional recyclable material and/or types;
- Conditions of the general approval which may/will be exceeded;
- Current capacity and/or limitations;
- Hours and days of operation;
- Duration of time the exceedance will be required;
- Whether the recyclable materials will be processed prior to receipt and if so, how?;
- Reasons exceedance should be approved (especially if there is other local capacity available)

Whom should I contact with questions?

During Business Hours:

Bruce Witkowski for Class B facilities

Or

Deborah Pinto for enforcement questions

New Jersey Dept. of Environmental Protection
Bureau of Transfer Stations and Recycling Facilities
P.O. Box 420
Mail Code 401-04D
401 E. State Street
Trenton, NJ 08625-0420
Bruce.Witkowski@dep.state.nj.us
(609) 292-9880

New Jersey Dept. of Environmental Protection
Bureau of Solid Waste Enforcement
P.O. Box 420
Mail Code 09-01
9 Ewing Street, 2nd Floor
Trenton, NJ 08625-0420
Deborah.Pinto@dep.state.nj.us
(609)292-6305

Non-Business Hours: 1-877-WARNDEP (1-877-927-6337)

Where can I get more information?

Visit the following sites for additional information regarding this advisory:

General NJDEP contact information: <http://www.nj.gov/cgi-bin/dep/contactdep.pl>

Governor Christie's Executive order declaring weather state of emergency:

<http://www.state.nj.us/infobank/circular/eoindex.htm>

To comment on this advisory:

<http://www.nj.gov/dep/enforcement/survey.html>

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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 contact numbers listed above.