



State of New Jersey

Department of Environmental Protection
Site Remediation and Waste Management Program
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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

SHAWN M. LATOURETTE
Commissioner

September 1, 2021

Re: Revised in P.L. 2019 c.397 (Dirty Dirt Law) Pursuant to Expiration of EO #136

Dear Soil and Fill Recyclable Material service providers, haulers, and brokers:

On March 9, 2020, Governor Philip D. Murphy issued Executive Order No. 103 (EO 103) declaring the COVID-19 pandemic to be both a Public Health Emergency (PHE) and State of Emergency in New Jersey. On May 2, 2020, Governor Murphy issued Executive Order No. 136 (EO 136) which in part tolled certain deadlines established in the Dirty Dirt law due to the continuing PHE. Pursuant to EO 136, each deadline was extended by the total number of days of the PHE plus an additional 60 days.

The original deadlines in the Dirty Dirt law¹ signed by Governor Murphy on January 21, 2020 required that:

- Any business concern wishing to engage in Soil and Fill Recycling Services that did not already possess an A-901 License as of January 21, 2020 submit a Registration form to the New Jersey Department of Environmental Protection (NJDEP) no later than April 20, 2020;
- Any business concern without a valid A-901 or Soil and Fill Recycling Registration must cease to engage in Soil and Fill Recycling Services after July 20, 2020; and
- To obtain an A-901 License, a Registrant must submit a valid and administratively complete application to the New Jersey Attorney General's Office no later than October 20, 2020.

On June 4, 2021, Governor Murphy signed Executive Order 244 (EO 244)² ending the PHE and setting the expiration date of EO 136 to July 4, 2021. **Pursuant to this order, the new deadlines for the Dirty Dirt Law are as follows:**

- Any business concern wishing to engage in Soil and Fill Recycling Services that did not already possess an A-901 License on January 21, 2020 must submit a Registration form to NJDEP no later than **October 14, 2021**;
- Any business concern that does not possess a valid A-901 License or Soil and Fill Recycling Registration must cease to engage in Soil and Fill Recycling Services after **January 13, 2022**; and
- To obtain an A-901 License, a Registrant must submit a valid and administratively complete A-901 License application to the New Jersey Office of the Attorney General no later than **April 15, 2022**.

Please contact NJDEP's A-901 Unit via phone at (609) 984-4250 or e-mail at soilandfill@dep.nj.gov should you have any questions.

Sincerely,

Mark J. Pedersen, Assistant Commissioner

¹ Link to full law https://www.nj.gov/dep/dshw/a901/pl_2019_c_397.pdf

²EO 244: <https://nj.gov/infobank/eo/056murphy/pdf/EO-244.pdf>