



# State of New Jersey

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

OFFICE OF THE COMMISSIONER

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**PHILIP D. MURPHY**

*Governor*

**SHEILA Y. OLIVER**

*Lt. Governor*

**SHAWN M. LATOURETTE**

*Commissioner*

### ADMINISTRATIVE ORDER NO. 2021-22

WHEREAS, by Executive Order No. 259, dated September 1, 2021, Governor Philip D. Murphy declared a State of Emergency in response to Tropical Storm Ida, which began impacting New Jersey on Wednesday, September 1, 2021, bringing severe weather conditions including strong winds, tornadoes, heavy and sustained rainfall, and flooding;

WHEREAS, pursuant to its enabling legislation at N.J.S.A. 13:1D-1, et seq., the New Jersey Department of Environmental Protection (Department) is charged with implementing comprehensive policies for the protection of the environment and public health, including, but not limited to, the conservation of the State's natural resources and prevention of pollution; and

WHEREAS, certain Departmental regulatory requirements concerning the management of wastes may impede the expeditious implementation of measures necessary to address this emergency and ensure continued protection of public health and the environment, to the detriment of the public welfare; and

NOW, THEREFORE, I, Shawn M. LaTourette, Commissioner of Environmental Protection, by virtue of the authority vested in me by N.J.S.A. 13:1B-3, N.J.S.A. 13:1D-9, and under all applicable statutes and regulations, do hereby ORDER and DIRECT:

1. Subject to the approval of the Governor, I hereby waive, suspend, or modify any existing Departmental solid waste rule (N.J.A.C. 7:26, et seq.), the strict application of which could be detrimental to the public welfare during this emergency, to the extent such regulations might otherwise apply to activities deemed necessary by the State Director of Emergency Management.
2. Pursuant to the authority of N.J.S.A. 13:1B-4, N.J.S.A. 13:1E-1 et seq., and N.J.S.A. 52:14A-1 et seq., I hereby designate the following employees, or their designees, to act on my behalf with respect to the waiver, suspension, or modification of the aforementioned regulations in connection with said emergency matters: (1) Mark Pedersen, Assistant Commissioner, Site Remediation and Solid Waste, (2) Mary Jo M. Aiello, Director, Division of Solid and Hazardous Waste, (3) Michael Hastry, Director, Division of Waste Enforcement, Pesticides, and Release Prevention.

This Order shall take effect immediately and remain in effect until such time as the state of emergency declared by Executive Order No. 259 has concluded or this Order is rescinded.

All other Administrative Orders or portions thereof, which are inconsistent herewith are hereby superseded and repealed.

This Order shall be promulgated in accordance with N.J.S.A. App. A:9-45.

Dated: September 2, 2021



Shawn M. LaTourette  
Commissioner

