

13:1E-43 to 13:1E-48

LEGISLATIVE HISTORY CHECKLIST

NJSA 13:1E-43 to 13:1E-48 (Sludge--Establishes legal framework for land disposal and processing)

LAWS OF 1977 CHAPTER 328

Bill No. A2357

Sponsor(s) Van Wagner

Date Introduced Nov. 23, 1976

Committee: Assembly Agriculture & Environment

Senate Energy & Environment

Amended during passage Yes ~~XX~~ <sup>NO</sup> Amendments during passage denoted by asterisks

Date of Passage: Assembly Dec. 1, 1977

Senate Dec. 15, 1977

Date of approval Jan. 10, 1978

Following statements are attached if available:

Sponsor statement	Yes	<del>XXX</del> NO	
Committee Statement:	Assembly	Yes	<del>XXX</del> NO 9-26-77 & 11-28-77
	Senate	<del>YES</del> Yes	No
Fiscal Note	<del>YES</del> Yes	No	
Veto Message	<del>YES</del> Yes	No	
Message on signing	<del>YES</del> Yes	<del>NO</del> Yes	

Following were printed:

Reports	Yes	<del>XX</del> NO
Hearings	Yes	<del>XX</del> NO

974.90 NJ Legislature. Senate.  
P777 Committee on Energy & Environment.  
1977b Public hearing on A2357,  
held 3-16-77.

974190 NJ Legislature. Assembly. Special Assembly Committee  
P777 to Investigate the Pollution of NJ-NY Coastal Waters.  
1977c Inter-legislative Committee on the pollution of  
NJ-NY coastal waters: report of the Committee. 1977.

EJ 9/1/78

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[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 2357

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 23, 1976

By Assemblymen VAN WAGNER, FLYNN, NEWMAN, DOYLE,  
KOZLOSKI, OTLOWSKI, PERSKIE, KARCHER, HAMILTON,  
COSTELLO and VILLANE

Referred to Committee on Agriculture and Environment

AN ACT to supplement the "Solid Waste Management Act," ap-  
proved May 6, 1970 (P. L. 1970, c. 39, C. 13:1E-1 et seq.).

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. a. The Legislature hereby finds that the current practice  
2 of ocean disposal of sludge is, to a large degree, responsible for  
3 the degradation of the coastal waters of this State and the serious  
4 environmental and economic problems related thereto; that such  
5 degradation and problems will be aggravated by a continued reli-  
6 ance upon this practice to the point of being virtually irreversible;  
7 that land disposal methods and new technological processes now  
8 make it feasible to minimize the adverse effects of sludge while  
9 deriving useful products therefrom; and that the health, safety  
10 and welfare of the citizens of this State now require that such  
11 methods and processes replace the practice of ocean disposal of  
12 sludge.

13 b. The Legislature further finds that the efficient and reasonable  
14 management of solid waste and sludge are inherently compatible;  
15 that the recycling of solid waste and the processing of sludge into  
16 energy, fertilizers and other useful products are complementary;  
17 that State programs which seek to provide for comprehensive  
18 approaches to the proper disposal or utilization of solid waste or  
19 sludge must be regional in nature; and that the interests of the  
20 citizens of this State would best be served through an integration  
21 of sludge management with the regional solid waste planning and  
22 management process.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill  
is not enacted and is intended to be omitted in the law.

23 c. The Legislature, therefore, declares that it is the policy of  
 24 this State to supplement the regional objectives of the "Solid  
 25 Waste Management Act," P. L. 1970, c. 39 (C. 13:1E-1 et seq.),  
 26 by requiring that the solid waste management districts established  
 27 therein plan and provide for the processing or land disposal of  
 28 sludge in the manner and extent hereinafter provided.

1 2. As used in this act:

2 a. "Sludge" means the solids, precipitates and liquids, other  
 3 than effluent, which are produced as a result of the storage or  
 4 treatment of domestic or industrial sewage\*\*; *provided, however,*  
 4A *that any waste material which is disposed of in accordance with*  
 4B *the provisions of a special permit issued by the Administrator of*  
 4C *the U. S. Environmental Protection Agency pursuant to the pro-*  
 4D *visions of section 102 of the "Marine Protection, Research and*  
 4E *Sanctuaries Act of 1972" (P. L. 92-532, 33 U. S. C. s. 1412), as*  
 4F *implemented by 40 CFR 220.3 shall not be considered sludge for*  
 4G *the purposes of this supplementary act\*\*.*

5 b. "Processing of sludge" means the use of sludge for the  
 6 production of energy, fertilizer or other useful materials.

7 c. "Land disposal" means the disposal of sludge at a sanitary  
 8 landfill or the application of wet or dry sludge on agricultural,  
 9 park or institutional lands in a manner which conforms to the  
 10 Statewide solid waste management plan and the solid waste  
 11 management plan for the district wherein such disposal or applica-  
 12 tion occurs.

13 d. "Effluent" means liquids which are treated in, and discharged  
 14 by, public sewage treatment plants.

1 3. The solid waste management plan developed and formulated  
 2 for every solid waste management district in this State pursuant  
 3 to sections 11 through 15 of P. L. 1975, c. 326 (C. 13:1E-20 to  
 4 13:1E-24) shall provide:

5 a. An inventory of the sources, composition, and quantity of  
 6 sludge presently generated within the solid waste management  
 7 district;

8 b. Projections of the amounts and composition of sludge which  
 9 will be generated within the district in each of the subsequent  
 10 10 years;

11 c. An inventory and appraisal, including the identity, location  
 12 and life expectancy, of any solid waste facility or recycling facility  
 13 located within the district which could be utilized for the processing  
 14 or land disposal of sludge;

15 d. An analysis of the present systems of sludge disposal for  
 16 the district;

17 e. A statement of the sludge disposal strategy to be applied in  
 18 the district, which strategy shall provide for the maximum  
 19 practical processing of all sludge generated within the district  
 20 following the adoption of the solid waste management plan by such  
 21 district and for the *\*\*processing or\*\** land disposal of any  
 22 *\*\*[such]\*\** sludge *\*\*[deemed impractical for such processing]\*\**  
 23 *\*\*generated within the district after December 31, 1981\*\**; *\*pro-*  
 24 *vided, however, that such strategy takes into account, and incor-*  
 25 *porates where possible, facilities planning for environmentally*  
 26 *sound land-based alternatives to the ocean dumping of sludge*  
 27 *prepared by local agencies under Section 201 of P. L. 92-500, the*  
 28 *"Federal Water Pollution Control Act Amendments of 1972" and*  
 29 *conforms to the sludge management strategy developed by the*  
 30 *department pursuant to section 4 of this supplementary act,\**

31 f. A site plan, which shall include all existing solid waste facilities  
 32 or recycling facilities which could be utilized for the processing or  
 33 land disposal of sludge, provided that they are operated and  
 34 maintained in accordance with all applicable health and environ-  
 35 mental standards, and sufficient additional available suitable sites  
 36 to provide for the processing or land disposal of the amounts of  
 37 sludge presently generated within the district as well as the  
 38 amounts of sludge projected to be generated in each of the sub-  
 39 sequent 10 years.

1 4. a. The Statewide solid waste management plan developed  
 2 and formulated by the department pursuant to section 6 of the act  
 3 to which this act is a supplement shall *\*contain a sludge manage-*  
 3A *ment strategy, which strategy shall\** provide for the maximum  
 4 practical processing of all sludge generated within the State follow-  
 5 ing the adoption of such plan, and for the *\*\*processing or\*\** land  
 6 disposal of any such sludge *\*\*[deemed impractical for such pro-*  
 6A *cessing]\*\** *\*\*generated within the State after December 31 1981\*\**.

7 b. The department is hereby empowered to direct any solid  
 8 waste management district, pursuant to the Statewide solid waste  
 9 management plan, (1) to plan for the utilization of any existing  
 10 solid waste facility or recycling facility for the land disposal or  
 11 processing of sludge, or (2) to develop a program, singly or with  
 12 one or more other districts, to provide for the land disposal or  
 13 processing of sludge generated within such district or districts.

1 5. All sludge generated within the boundaries of any solid waste  
 2 management district in this State shall be disposed of in a manner  
 3 which conforms to the Statewide solid waste management plan  
 4 and the solid waste management plan for the district wherein such  
 5 sludge is generated.

1     \*6. The commissioner shall vigorously pursue all Federal, State  
2 or private aid which is available or may become available for the  
3 processing or land disposal of sludge and shall coordinate such aid  
4 requests as may be forthcoming with the appropriate State, county  
5 and local agencies and authorities.\*

1     \*\*7. The commissioner shall, within 90 days of the effective date  
2 of this supplementary act, prepare and submit to the Legislature  
3 a report concerning the practicability and feasibility of adopting  
4 pretreatment standards for sewage, as authorized by P. L. 1972,  
5 c. 42 (C. 58:11-49 et seq.). Such report shall further summarize  
6 past and present State and Federal efforts relating to such pre-  
7 treatment and shall include a recommendation as to the appropriate  
8 role of the State concerning the establishment of such standards.\*\*

1     \*[6.]\* \*\*[\*7.]\* \*\*8.\*\* This act shall take effect immediately;  
2 provided however, section 3 shall be implemented pursuant to the  
2A following schedule:

3     a. Immediately, with respect to any solid waste management  
4 plans not due to be submitted to the commissioner within 120 days  
5 of the effective date of this supplementary act; and

6     b. Two years, from the effective date of this act with respect  
7 to any other solid waste management plan.

ASSEMBLY, No. 2357

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 23, 1976

By Assemblymen VAN WAGNER, FLYNN, NEWMAN, DOYLE,  
KOZLOSKI, OTLOWSKI, PERSKIE, KARCHER, HAMILTON,  
COSTELLO and VILLANE

Referred to Committee on Agriculture and Environment

AN ACT to supplement the "Solid Waste Management Act," ap-  
proved May 6, 1970 (P. L. 1970, c. 39, C. 13:1E-1 et seq.).

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. a. The Legislature hereby finds that the current practice  
2 of ocean disposal of sludge is, to a large degree, responsible for  
3 the degradation of the coastal waters of this State and the serious  
4 environmental and economic problems related thereto; that such  
5 degradation and problems will be aggravated by a continued reli-  
6 ance upon this practice to the point of being virtually irreversible;  
7 that land disposal methods and new technological processes now  
8 make it feasible to minimize the adverse effects of sludge while  
9 deriving useful products therefrom; and that the health, safety  
10 and welfare of the citizens of this State now require that such  
11 methods and processes replace the practice of ocean disposal of  
12 sludge.

13 b. The Legislature further finds that the efficient and reasonable  
14 management of solid waste and sludge are inherently compatible;  
15 that the recycling of solid waste and the processing of sludge into  
16 energy, fertilizers and other useful products are complementary;  
17 that State programs which seek to provide for comprehensive  
18 approaches to the proper disposal or utilization of solid waste or  
19 sludge must be regional in nature; and that the interests of the  
20 citizens of this State would best be served through an integration  
21 of sludge management with the regional solid waste planning and  
22 management process.

23 c. The Legislature, therefore, declares that it is the policy of  
24 this State to supplement the regional objectives of the "Solid  
25 Waste Management Act," P. L. 1970, c. 39 (C. 13:1E-1 et seq.),

26 by requiring that the solid waste management districts established  
27 therein plan and provide for the processing or land disposal of  
28 sludge in the manner and extent hereinafter provided.

1 2. As used in this act:

2 a. "Sludge" means the solids, precipitates and liquids, other  
3 than effluent, which are produced as a result of the storage or  
4 treatment of domestic or industrial sewage.

5 b. "Processing of sludge" means the use of sludge for the  
6 production of energy, fertilizer or other useful materials.

7 c. "Land disposal" means the disposal of sludge at a sanitary  
8 landfill or the application of wet or dry sludge on agricultural,  
9 park or institutional lands in a manner which conforms to the  
10 Statewide solid waste management plan and the solid waste  
11 management plan for the district wherein such disposal or applica-  
12 tion occurs.

13 d. "Effluent" means liquids which are treated in, and discharged  
14 by, public sewage treatment plants.

1 3. The solid waste management plan developed and formulated  
2 for every solid waste management district in this State pursuant  
3 to sections 11 through 15 of P. L. 1975, c. 326 (C. 13:1E-20 to  
4 13:1E-24) shall provide:

5 a. An inventory of the sources, composition, and quantity of  
6 sludge presently generated within the solid waste management  
7 district;

8 b. Projections of the amounts and composition of sludge which  
9 will be generated within the district in each of the subsequent  
10 10 years;

11 c. An inventory and appraisal, including the identity, location  
12 and life expectancy, of any solid waste facility or recycling facility  
13 located within the district which could be utilized for the processing  
14 or land disposal of sludge;

15 d. An analysis of the present systems of sludge disposal for  
16 the district;

17 e. A statement of the sludge disposal strategy to be applied in  
18 the district, which strategy shall provide for the maximum  
19 practical processing of all sludge generated within the district  
20 following the adoption of the solid waste management plan by such  
21 district and for the land disposal of any such sludge deemed im-  
22 practical for such processing;

23 f. A site plan, which shall include all existing solid waste facilities  
24 or recycling facilities which could be utilized for the processing or  
25 land disposal of sludge, provided that they are operated and  
26 maintained in accordance with all applicable health and environ-

27 mental standards, and sufficient additional available suitable sites  
28 to provide for the processing or land disposal of the amounts of  
29 sludge presently generated within the district as well as the  
30 amounts of sludge projected to be generated in each of the sub-  
31 sequent 10 years.

1 4. a. The Statewide solid waste management plan developed  
2 and formulated by the department pursuant to section 6 of the act  
3 to which this act is a supplement shall provide for the maximum  
4 practical processing of all sludge generated within the State follow-  
5 ing the adoption of such plan, and for the land disposal of any such  
6 sludge deemed impractical for such processing.

7 b. The department is hereby empowered to direct any solid  
8 waste management district, pursuant to the Statewide solid waste  
9 management plan, (1) to plan for the utilization of any existing  
10 solid waste facility or recycling facility for the land disposal or  
11 processing of sludge, or (2) to develop a program, singly or with  
12 one or more other districts, to provide for the land disposal or  
13 processing of sludge generated within such district or districts.

1 5. All sludge generated within the boundaries of any solid waste  
2 management district in this State shall be disposed of in a manner  
3 which conforms to the Statewide solid waste management plan  
4 and the solid waste management plan for the district wherein such  
5 sludge is generated.

1 6. This act shall take effect immediately; provided however,  
2 section 3 shall be implemented pursuant to the following schedule:

3 a. Immediately, with respect to any solid waste management  
4 plans not due to be submitted to the commissioner within 120 days  
5 of the effective date of this supplementary act; and

6 b. Two years, from the effective date of this act with respect  
7 to any other solid waste management plan.

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#### STATEMENT

The adverse environmental and economic effects of the ocean disposal of sludge were forcefully demonstrated by the algal bloom, fishkills and fouled beaches which have plagued the coastal areas of our State during the last 6 months. Analysis of these problems has shown that sludge is a contributing factor to the nutrient buildup now held responsible. Since that time, considerable public attention and pressure have concentrated on alternatives to the ocean disposal of sludge.

This bill would provide the statutory framework and mandate for the land disposal and processing of sludge. Land disposal of



sludge, either in suitable sanitary landfills or through application on agricultural, park or institutional lands, would do much to minimize the adverse effects of sludge disposal. The processing of sludge would, in addition, provide useful by-products such as energy and compost.

As a means of accomplishing these beneficial results, this bill recognizes the inherent compatibility of the proper disposal and utilization of sludge and solid waste. Many of the innovative processes now in use, or being considered for use, in the production of energy, fertilizer, or other useful materials from solid waste would be complemented by the addition of sludge. In addition, recent legislation has already provided for a regional solid waste planning and management process to be conducted by each county, the Hackensack Meadowlands and the State. This bill, then, would provide for the integration of sludge planning and management with that solid waste planning and management process.

Accordingly, this bill would supplement the "Solid Waste Management Act" P. L. 1970, c. 39 (C. 13:1E-1 et seq.) by requiring every solid waste management district and the State to plan and provide for the processing or land disposal of sludge pursuant to the district and Statewide solid waste management plans. Such a requirement would facilitate the proper disposal and utilization of both solid waste and sludge.

The provisions of this bill would implement recommendations concerning the regional processing of sludge contained in recent reports of the Interstate Sanitation Commission and the New Jersey Department of Environmental Protection.

ASSEMBLY AGRICULTURE AND ENVIRONMENT  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2357**

with Assembly committee amendments

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**STATE OF NEW JERSEY**

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DATED: SEPTEMBER 26, 1977

On several occasions during the last 2 years, the adverse environmental and economic effects of ocean dumping were forcefully demonstrated by fishkills, fouled beaches and resulting losses sustained by the fishing and tourist industries of this State. Analysis of these problems has indicated that a combination of natural and man-made factors, including the ocean disposal of sludge, was responsible for the nutrient buildup and ensuing algal bloom which caused such losses. As a result, it appears very likely that the U.S. Environmental Protection Agency, which administers the ocean dumping permit program pursuant to the "Marine Protection, Research and Sanctuaries Act of 1972" (P. L. 92-532, 33 U. S. C. Sec. 1401 et seq.), will prohibit the ocean disposal of sludge as of December 31, 1981.

This bill would provide the statutory framework and mandate for the land disposal and processing of sludge necessary to meet the anticipated Federal ocean disposal ban. Adequate treatment and land disposal of sludge, either in suitable sanitary landfills or through application on agricultural, park or institutional lands, would do much to minimize the adverse effects of sludge disposal. The processing of sludge would, in addition, provide useful by-products such as energy and compost.

As a means of accomplishing these beneficial results, this bill recognizes the inherent compatibility of the proper disposal and utilization of sludge and solid waste. Many of the innovative processes now in use, or being considered for use, in the production of energy, fertilizer, or other useful materials from solid waste would be complemented by the addition of sludge. In addition, recent legislation has already provided for a regional solid waste planning and management process to be conducted by each county, the Hackensack Meadows and the State. This bill, then, would provide for the integration of sludge planning and management with that solid waste planning and management process.

Accordingly, this bill would supplement the "Solid Waste Management Act" P. L. 1970, c. 39 (C. 13:1E-1 et seq.) by requiring every solid waste management district and the State to plan and provide for the processing or land disposal of sludge pursuant to the district and Statewide solid waste management plans. Such a requirement would facilitate the proper disposal and utilization of both solid waste and sludge.

Amendments adopted by the Agriculture and Environment Committee would further direct that solid waste management districts be cognizant of facilities planning conducted by local agencies pursuant to section 201 of P. L. 92-500, the "Federal Water Pollution Control Act Amendments of 1972," and would require the Commissioner of Environmental Protection to vigorously pursue any public or private aid which might be available for the processing or land disposal of sludge.

ASSEMBLY COMMITTEE AMENDMENTS TO  
**ASSEMBLY, No. 2357**

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**STATE OF NEW JERSEY**

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ADOPTED SEPTEMBER 26, 1977

Amend page 2, section 3, line 22, after "processing;"; insert "provided, however, that such strategy takes into account, and incorporates where possible, facilities planning for environmentally sound land-based alternatives to the ocean dumping of sludge prepared by local agencies under Section 201 of P. L. 92-500, the 'Federal Water Pollution Control Act Amendments of 1972' and conforms to the sludge management strategy developed by the department pursuant to section 4 of this supplementary act;".

Amend page 3, section 4, line 3, after "shall", insert "contain a sludge management strategy, which strategy shall".

Amend page 3, section 5, line 5, after section 5, insert new section as follows:

"6. The commissioner shall vigorously pursue all Federal, State or private aid which is available or may become available for the processing or land disposal of sludge and shall coordinate such aid requests as may be forthcoming with the appropriate State, county and local agencies and authorities."

Amend page 3, section 6, line 1, Renumber old section 6 as new section 7.

[OFFICIAL COPY REPRINT]  
ASSEMBLY, No. 2357

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 23, 1976

By Assemblymen VAN WAGNER, FLYNN, NEWMAN, DOYLE,  
KOZLOSKI, OTLOWSKI, PERSKIE, KARCHER, HAMILTON,  
COSTELLO and VILLANE

Referred to Committee on Agriculture and Environment

AN ACT to supplement the "Solid Waste Management Act," ap-  
proved May 6, 1970 (P. L. 1970, c. 39, C. 13:1E-1 et seq.).

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. a. The Legislature hereby finds that the current practice  
2 of ocean disposal of sludge is, to a large degree, responsible for  
3 the degradation of the coastal waters of this State and the serious  
4 environmental and economic problems related thereto; that such  
5 degradation and problems will be aggravated by a continued reli-  
6 ance upon this practice to the point of being virtually irreversible;  
7 that land disposal methods and new technological processes now  
8 make it feasible to minimize the adverse effects of sludge while  
9 deriving useful products therefrom; and that the health, safety  
10 and welfare of the citizens of this State now require that such  
11 methods and processes replace the practice of ocean disposal of  
12 sludge.

13 b. The Legislature further finds that the efficient and reasonable  
14 management of solid waste and sludge are inherently compatible;  
15 that the recycling of solid waste and the processing of sludge into  
16 energy, fertilizers and other useful products are complementary;  
17 that State programs which seek to provide for comprehensive  
18 approaches to the proper disposal or utilization of solid waste or  
19 sludge must be regional in nature; and that the interests of the  
20 citizens of this State would best be served through an integration  
21 of sludge management with the regional solid waste planning and  
22 management process.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill  
is not enacted and is intended to be omitted in the law.

23 c. The Legislature, therefore, declares that it is the policy of  
24 this State to supplement the regional objectives of the "Solid  
25 Waste Management Act," P. L. 1970, c. 39 (C. 13:1E-1 et seq.),  
26 by requiring that the solid waste management districts established  
27 therein plan and provide for the processing or land disposal of  
28 sludge in the manner and extent hereinafter provided.

1 2. As used in this act:

2 a. "Sludge" means the solids, precipitates and liquids, other  
3 than effluent, which are produced as a result of the storage or  
4 treatment of domestic or industrial sewage.

5 b. "Processing of sludge" means the use of sludge for the  
6 production of energy, fertilizer or other useful materials.

7 c. "Land disposal" means the disposal of sludge at a sanitary  
8 landfill or the application of wet or dry sludge on agricultural,  
9 park or institutional lands in a manner which conforms to the  
10 Statewide solid waste management plan and the solid waste  
11 management plan for the district wherein such disposal or applica-  
12 tion occurs.

13 d. "Effluent" means liquids which are treated in, and discharged  
14 by, public sewage treatment plants.

1 3. The solid waste management plan developed and formulated  
2 for every solid waste management district in this State pursuant  
3 to sections 11 through 15 of P. L. 1975, c. 326 (C. 13:1E-20 to  
4 13:1E-24) shall provide:

5 a. An inventory of the sources, composition, and quantity of  
6 sludge presently generated within the solid waste management  
7 district;

8 b. Projections of the amounts and composition of sludge which  
9 will be generated within the district in each of the subsequent  
10 10 years;

11 c. An inventory and appraisal, including the identity, location  
12 and life expectancy, of any solid waste facility or recycling facility  
13 located within the district which could be utilized for the processing  
14 or land disposal of sludge;

15 d. An analysis of the present systems of sludge disposal for  
16 the district;

17 e. A statement of the sludge disposal strategy to be applied in  
18 the district, which strategy shall provide for the maximum  
19 practical processing of all sludge generated within the district  
20 following the adoption of the solid waste management plan by such  
21 district and for the land disposal of any such sludge deemed im-  
22 practical for such processing; *\*provided, however, that such*

22A strategy takes into account, and incorporates where possible,  
 22B facilities planning for environmentally sound land-based alterna-  
 22C tives to the ocean dumping of sludge prepared by local agencies  
 22D under Section 201 of P. L. 92-500, the "Federal Water Pollution  
 22E Control Act Amendments of 1972" and conforms to the sludge  
 22F management strategy developed by the department pursuant to  
 22G section 4 of this supplementary act;\*

23 f. A site plan, which shall include all existing solid waste facilities  
 24 or recycling facilities which could be utilized for the processing or  
 25 land disposal of sludge, provided that they are operated and  
 26 maintained in accordance with all applicable health and environ-  
 27 mental standards, and sufficient additional available suitable sites  
 28 to provide for the processing or land disposal of the amounts of  
 29 sludge presently generated within the district as well as the  
 30 amounts of sludge projected to be generated in each of the sub-  
 31 sequent 10 years.

1 4. a. The Statewide solid waste management plan developed  
 2 and formulated by the department pursuant to section 6 of the act  
 3 to which this act is a supplement shall *\*contain a sludge manage-*  
 3A *ment strategy, which strategy shall\** provide for the maximum  
 4 practical processing of all sludge generated within the State follow-  
 5 ing the adoption of such plan, and for the land disposal of any such  
 6 sludge deemed impractical for such processing.

7 b. The department is hereby empowered to direct any solid  
 8 waste management district, pursuant to the Statewide solid waste  
 9 management plan, (1) to plan for the utilization of any existing  
 10 solid waste facility or recycling facility for the land disposal or  
 11 processing of sludge, or (2) to develop a program, singly or with  
 12 one or more other districts, to provide for the land disposal or  
 13 processing of sludge generated within such district or districts.

1 5. All sludge generated within the boundaries of any solid waste  
 2 management district in this State shall be disposed of in a manner  
 3 which conforms to the Statewide solid waste management plan  
 4 and the solid waste management plan for the district wherein such  
 5 sludge is generated.

1 \*6. *The commissioner shall vigorously pursue all Federal, State*  
 2 *or private aid which is available or may become available for the*  
 3 *processing or land disposal of sludge and shall coordinate such aid*  
 4 *requests as may be forthcoming with the appropriate State, county*  
 5 *and local agencies and authorities.\**

1 \***[6.]**\* \*7.\* This act shall take effect immediately; provided how-  
2 ever, section 3 shall be implemented pursuant to the following  
3 schedule:

4 a. Immediately, with respect to any solid waste management  
5 plans not due to be submitted to the commissioner within 120 days  
6 of the effective date of this supplementary act; and

7 b. Two years, from the effective date of this act with respect  
to any other solid waste management plan.



ASSEMBLY AGRICULTURE AND ENVIRONMENT  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2357**

[OFFICIAL COPY REPRINT]

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**STATE OF NEW JERSEY**

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DATED: NOVEMBER 28, 1977

This bill was first reported by the Agriculture and Environment Committee on September 26, 1977, but recommitted for further consideration on October 3, 1977. Subsequent to that time, Congress has enacted and the President has signed a statutory prohibition on the ocean dumping of sewage sludge after December 31, 1981. As a result of these actions, the committee again reports this bill with amendments which would: (1) conform the timing and conditions of the requirements for the land disposal or processing of sludge with those of the Federal Act; and (2) directs the Commissioner of Environmental Protection to prepare and submit to the Legislature a report concerning the adoption of pretreatment standards for sewage by the State or Federal Government.

ASSEMBLY COMMITTEE AMENDMENTS TO

**ASSEMBLY, No. 2357**

[OFFICIAL COPY REPRINT]

**STATE OF NEW JERSEY**

ADOPTED NOVEMBER 28, 1977

Amend page 2, section 2, line 4, after "sewage", insert "; provided, however, that any waste material which is disposed of in accordance with the provisions of a special permit issued by the Administrator of the U. S. Environmental Protection Agency pursuant to the provisions of section 102 of the 'Marine Protection, Research and Sanctuaries Act of 1972' (P. L. 92-532, 33 U. S. C. s 1412), as implemented by 40 CFR 220.3 shall not be considered sludge for the purposes of this supplementary act".

Amend page 2, section 3, line 21, after "the", insert "processing or"; after "any", omit "such"; after "sludge", omit "deemed im-".

Amend page 2, section 3, line 22, omit "practical for such processing" and insert "generated within the district after December 31, 1981".

Amend page 3, section 4, line 5, after "for the", insert "processing or".

Amend page 3, section 4, line 6, after "sludge", omit "deemed impractical for such processing" and insert "generated within the State after December 31, 1981".

Amend page 3, section 6, after line 5, add new section 7 as follows:

"7. The commissioner shall, within 90 days of the effective date of this supplementary act, prepare and submit to the Legislature a report concerning the practicability and feasibility of adopting pretreatment standards for sewage, as authorized by P. L. 1972, c. 42 (C. 58:11-49 et seq.). Such report shall further summarize past and present State and Federal efforts relating to such pretreatment and shall include a recommendation as to the appropriate role of the State concerning the establishment of such standards."

Amend page 4, section 7, line 1, omit "7.", insert "8."

FROM THE OFFICE OF THE GOVERNOR

FOR RELEASE IMMEDIATELY

FOR FURTHER INFORMATION

JANUARY 10, 1978

KATHY FORSYTH  
ANNE BURNS

Governor Brendan Byrne today signed into law the following bills:

A-539, sponsored by Assemblyman Carl Orechio (R-Essex), which requires physicians who order laboratory tests for their patients to provide third party payers with specific information regarding the laboratory.

The information must include the name and address of the laboratory and the amount to be paid to the lab for the tests.

Prior to this legislation physicians were required to give this information either to the patient or to third party payers.

A-1767, sponsored by Assemblymen Daniel F. Newman (D-Ocean) and John P. Doyle (D-Ocean), which will allow boards of education to pay school district election officers up to \$4.00 per hour.

The bill does not require any minimum compensation.

Prior to this legislation, the compensation rates allowed payment of up to \$2.00 per hour with a minimum of \$10.00 for any time spent working at a school election.

Since the rate paid is at the discretion of the local school board, any district is free to avoid the additional costs.

A-2357, sponsored by Assemblyman Richard Van Wager (D-Monmouth), which supplements the "Solid Waste Management Act."

The bill provides the statutory framework and mandate for the land disposal and processing of sludge.

The legislation requires the DEP to study the feasibility of adopting pretreatment standards for sludge and require the Commissioner to pursue any public or private aid which might be available for the processing or land disposal of sludge.

A-1349, sponsored by Assemblyman C. Louis Bassano (R-Union), which outlines the procedures for filing vacancies on school boards.

Special elections will be held if the vacancy was due to a tie in the annual election or from a failure to elect due to improper election procedures.

If there is a vacancy because of improper election procedures, the Commissioner of Education will appoint a member. The county superintendent will retain his power to appoint when the vacancy results from the removal of a member for lack of qualifications or from the absence of candidates for election to the school board.

A-1883, sponsored by Assemblyman Willie Brown (D-Essex), which amends the act concerning the election of polling places.

Prior to this legislation a county board of elections was permitted to select a polling place other than a school house or public building when the new site would be more convenient to the voters of an election district.

Under this legislation the county board may still select a polling place other than a school house or public building. However, they must also consider using buildings which are accessible to elderly and physically disabled persons.

A-1936, sponsored by Assemblywoman Marie Muhler (R-Monmouth), which establishes a procedure for maintaining a system of staggered elections and terms of office for regional school board members.

The bill allows the Commissioner of Education to make a one-year adjustment in the terms of office of any member of a regional school board who represents a constituent district which, due to reappointment or enlargement of the regional district, has a disproportionate number of its representatives up for election at the same time.