

LEGISLATIVE HISTORY CHECKLIST

NJSA: 13:1E-3

(Solid waste and solid waste disposal-definitions)

LAWS OF: 1984

CHAPTER: 7

Bill No: A793

Sponsor(s): Bennett

Date Introduced: January

Committee: Assembly: /////

Senate: /////

Amended during passage:

No

Substituted for S1048 (not attached since identical to A793)

Date of Passage:

Assembly: January 23, 1984

Senate: January 30, 1984

Date of Approval: February 22, 1984

Following statements are attached if available:

Sponsor statement:

Yes

Committee statement:

Assembly

No

Senate

No

Fiscal Note:

No

Veto Message:

No

Message on Signing:

No

Following were printed:

Reports:

No

Hearings:

No

Regulations promulgated re: Pub: L. 94-580:

40 CFR Part 264 and 265

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CHAPTER 1 LAWS OF N. J. 1984
APPROVED 2-22-84

ASSEMBLY, No. 793

STATE OF NEW JERSEY

INTRODUCED JANUARY 10, 1984

By Assemblyman BENNETT

AN ACT to amend the "Solid Waste Management Act," approved May 6, 1970 (P. L. 1970, c. 39), as said short title was amended by P. L. 1975, c. 326.

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

1 1. Section 3 of P. L. 1970, c. 39 (C. 13:1E-3) is amended to read
2 as follows:

3 3. For purposes of this act, unless the context clearly requires
4 a different meaning:

5 a. "Solid waste" means garbage, refuse, and other discarded
6 materials resulting from industrial, commercial and agricultural
7 operations, and from domestic and community activities, and shall
8 include all other waste materials including liquids [except for
9 liquids which are treated in public sewage treatment plants and]
10 except for solid animal and vegetable wastes collected by swine
11 producers licensed by the State Department of Agriculture to
12 collect, prepare and feed such wastes to swine on their own farms.

13 b. "Solid waste collection" means the activity related to pick-up
14 and transportation of solid waste from its source or location to a
15 disposal site or to a resource recovery facility.

16 c. ["Solid waste disposal"] "Disposal" means the storage, treat-
17 ment, utilization, processing, resource recovery of, or [final disposal
18 of solid waste,] *the discharge, deposit, injection, dumping, spilling,*
19 *leaking or placing of any solid or hazardous waste into or on any*
20 *land or water so that the solid or hazardous waste or any constituent*

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

21 *thereof may enter the environment or be emitted into the air or dis-*
22 *charged into any waters, including ground waters.*

23 d. "Solid waste management" includes all activities related to
24 the collection and disposal of solid waste by any person engaging
25 in such process.

26 e. "Council" means the Advisory Council on Solid Waste
27 Management.

28 f. "Department" means the State Department of Environ-
29 mental Protection.

30 g. "Commissioner" means the Commissioner of Environmental
31 Protection in the State Department of Environmental Protection.

32 h. "Solid waste facilities" mean and include the plants, struc-
33 tures and other real and personal property acquired, constructed
34 or operated or to be acquired, constructed or operated by any
35 person pursuant to the provisions of this or any other act, including
36 transfer stations, incinerators, resource recovery facilities, sani-
37 tary landfill facilities or other plants for the disposal of solid waste
38 and all vehicles, equipment and other real and personal property
39 and rights thereon and appurtenances necessary or useful and
40 convenient for the collection or disposal of solid waste in a sani-
41 tary manner.

42 i. "Public authority" means any solid waste management au-
43 thority created pursuant to the "solid waste management authori-
44 ties law," P. L. 1968, c. 249 (C. 40:66A-32 et seq.); municipal
45 utility authority created pursuant to the "municipal [utility] and
46 county utilities authorities law," P. L. 1957, c. 183 (C. 40:14B-1
47 et seq.); incinerator authority created pursuant to the "incinerator
48 authorities law," P. L. 1948, c. 348 (C. 40:66A-1 et seq.); county
49 improvement authority created pursuant to the "county improve-
50 ment authorities law," P. L. 1960, c. 183 (C. 40:37A-44 et seq.),
51 or any other public body corporate and politic created for solid
52 waste management purposes in any county or municipality pur-
53 suant to the provisions of any law.

54 j. "Hackensack Meadowlands District" means the area within
55 the jurisdiction of the Hackensack Meadowlands Development
56 Commission created pursuant to the provisions of the "Hackensack
57 Meadowlands Reclamation and Development Act," P. L. 1968, c.
58 404 (C. 13:17-1 et seq.).

59 k. "Hackensack Commission" means the Hackensack Meadow-
60 lands Development Commission created pursuant to the provisions
61 of the "Hackensack Meadowlands Reclamation and Development
62 Act," P. L. 1968, c. 404 (C. 13:17E-1 et seq.).

63 l. "Existing solid waste facility" means that portion of an
 64 active solid waste facility which, on the effective date of this act,
 65 possesses a valid approved registration from the department.

66 m. "New solid waste facility" means any solid waste facility
 67 or portion thereof which does not qualify as an existing solid waste
 68 facility.

69 n. "Public sewage treatment plant" means any structure or
 70 structures required to be approved by the department pursuant
 71 to [R. S. 58:11-10] P. L. 1977, c. 224 (C. 58:12A-1 et seq.) or [R. S.
 72 58:12-3] P. L. 1977, c. 74 (C. 58:10A-1 et seq.) by means of which
 73 domestic wastes are subjected to any artificial process in order to
 74 remove or so alter constituents as to render the waste less offensive
 75 or dangerous to the public health, comfort or property of any of the
 76 inhabitants of this State before the discharge of the plant effluent
 77 into any of the waters of this State; this definition includes plants
 78 for the treatment of industrial wastes as well as a combination of
 79 domestic and industrial wastes.

80 o. "Resource recovery" means the collection, separation, recycl-
 81 ing and recovery of metals, glass, paper and other materials for
 82 reuse or for energy production.

83 p. "Recycling facility" means any solid waste facility utilized
 84 to separate or process solid waste into marketable materials.

1 2. This act shall take effect immediately.

STATEMENT

This bill would amend the definition of solid waste and solid waste disposal in the "Solid Waste Management Act," P. L. 1970, c. 39 (C. 13:1E-1 et seq.), so that the laws of the State will conform more closely with the definitions in the federal "Resource Conservation and Recovery Act of 1976," Pub.L. 94-580 (42 U. S. C. § 6901 et seq.) and the regulations promulgated thereunder by the United States Environmental Protection Agency (EPA).

The purpose of this bill is to facilitate final authorization by the EPA for State assumption of the solid and hazardous waste regulatory and enforcement program under the "Resource Conservation and Recovery Act of 1976." Currently the State has interim authorization. It is expected that federal funds will become available to the State upon final authorization.

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