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end

P.L. 2022, CHAPTER 17, *approved June 24, 2022*
Assembly, No. 642 (*Second Reprint*)

1 AN ACT concerning the use of steel slag as an aggregate and
2 supplementing P.L.1987, c.102 (C.13:1E-99.11 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6

7 1. a. Notwithstanding ¹the provisions of¹ any law, or rule or
8 regulation adopted pursuant thereto, to the contrary, beginning 90
9 days after the effective date of this ¹[act] section¹ , a person ²,
10 including a licensed site remediation professional,² may use steel
11 slag as an aggregate in any commercial or industrial development,
12 ²[and] or at a commercial or industrial site at which remediation is
13 being overseen by² a licensed site remediation professional ²[may
14 authorize the use of steel slag as an aggregate in the remediation of
15 a contaminated site]² , provided ¹that the steel slag meets all
16 applicable engineering or geotechnical standards and specifications,
17 that¹ such use ¹is for a purpose enumerated in subsection b. of this
18 section, and that the use¹ does not cause the exceedance of any:

19 (1) drinking water quality standard established by the
20 Department of Environmental Protection or the United States
21 Environmental Protection Agency; or

22 (2) groundwater quality standard established by the Department
23 of Environmental Protection.

24 ²[¹Notwithstanding the provisions of any law, or any rule or
25 regulation adopted pursuant thereto, to the contrary, the] The² use
26 of steel slag ²as provided for in subsection b. of this section is not
27 subject to regulation² as alternative fill ²[in the remediation of a
28 contaminated site] . ² ²[pursuant to this section shall not require
29 prior written approval from the Department of Environmental
30 Protection.]¹²

31 b. ¹Steel slag may be used pursuant to subsection a. of this
32 section only for the following purposes:

33 (1) as an aggregate in making cement, concrete, or bituminous
34 mixes such as pavement surfaces, wearing and binder courses,
35 bases, surface treatments, seal coats, slurry coats, and cold patch;

36 (2) as an anti-skid material or snow and ice control aggregate;

37 (3) for stabilized shoulders ²[.] and² banks ²[.] and select
38 material surfacing,² provided that, where slag is to be used for
39 bank and erosion control adjacent to surface waters or other

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 underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AEN committee amendments adopted February 7, 2022.

²Assembly amendments adopted in accordance with Governor's recommendations May 9, 2022.

1 environmentally sensitive areas, an ecological evaluation, approved
 2 by the Department of Environmental Protection, is first performed;

3 (4) as engineered aggregate base ²[,] or² sub-base ²[, and
 4 loadbearing]² courses ²up to eight inches thick under permanent
 5 structures, pavements, and sidewalks, except that thicknesses
 6 greater than eight inches and up to 24 inches may be used under
 7 non-residential permanent structures only if the greater thickness is
 8 supported by an engineering justification developed by a licensed
 9 professional engineer familiar with the material justifying why a
 10 thickness greater than eight inches is needed² ;

11 (5) as railroad ballast;

12 (6) as a replacement for limestone for the neutralization of mine
 13 drainage and industrial discharge, provided that uses in, or adjacent
 14 to, water abide by all other applicable laws, rules, and regulations;

15 (7) as soil amendment to ²adjust pH and² reduce the leachability
 16 of contaminants in the soil. A use pursuant to this paragraph shall
 17 be evaluated ²and approved individually² by either a licensed site
 18 remediation professional or the Department of Environmental
 19 Protection prior to its implementation;

20 (8) in controlled industrial uses ²[, including, but not limited to,]
 21 such as² granular fills ²up to eight inches² required for unpaved
 22 parking and storage areas, pipe and tank backfill, ²[and]² berm
 23 construction ², and other industrial and construction activity² ;

24 (9) as a replacement for natural aggregate at steel mills;

25 (10) as ²alternate² cover material for roads to working surfaces at
 26 solid waste landfills;

27 (11) as roofing granules; and

28 (12) as cover material ²up to eight inches² for the installation of
 29 solar collectors.

30 c.¹ ²[No later than 90 days after the effective date of this ¹[act]
 31 section¹ , the] The² Department of Environmental Protection
 32 ²[shall] may² adopt, pursuant to the “Administrative Procedure
 33 Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
 34 concerning the use of steel slag as an aggregate as necessary in
 35 order to ensure the protection of the public health, safety, and the
 36 environment.

37 ¹[c.] d.¹ As used in this section:

38 “Aggregate” means a material formed from fragments or
 39 particles ²[, which can be utilized in construction or other related]
 40 ² ²[industries.]²

41 ¹“Alternative fill” means material to be used in a remedial
 42 action, ²[which contains contaminants in excess of the most
 43 stringent soil remediation standards, site-specific alternative
 44 standards, or site-specific interim standards adopted pursuant to
 45 section 35 of P.L.1993, c.139 (C.58:10B-12), and which does not
 46 contain free liquids. “Alternative fill” includes material that

1 contains contaminants in excess of any standards, or action levels
2 for contaminants without standards,] as defined pursuant to
3 regulations² promulgated by the Department of Environmental
4 Protection.

5 “Contaminant” means the same as that term is defined in section
6 23 of P.L.1993, c.139 (C.58:10B-1).¹

7 “Hazardous waste” means the same as that term is defined in
8 section 3 of P.L.1981, c.279 (C.13:1E-51).

9 “Licensed site remediation professional” means the same as that
10 term is defined in section 23 of P.L.1993, c.139 (C.58:10B-1).

11 ¹“Remedial action” means the same as that term is defined in
12 section 23 of P.L.1993, c.139 (C.58:10B-1).¹

13 “Remediation” means the same as that term is defined in section
14 23 of P.L.1993, c.139 (C.58:10B-1).

15 “Steel slag” means the nonmetallic coproduct that results from
16 the production of steel in an electric arc furnace, and that is:

- 17 (1) not a hazardous waste, as determined by the department;
18 (2) poured from the furnace in a molten state, cooled, and
19 processed to remove free metallic compounds; and
20 (3) sold and distributed in the stream of commerce as an
21 aggregate and managed as an item of value in a controlled manner,
22 and is not discarded.

23
24 2. This act shall take effect immediately.

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27 _____
28
29 Concerns use of steel slag as aggregate.

ASSEMBLY, No. 642

STATE OF NEW JERSEY

220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

SYNOPSIS

Concerns use of steel slag as aggregate.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the use of steel slag as an aggregate and
2 supplementing P.L.1987, c.102 (C.13:1E-99.11 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. Notwithstanding any law, or rule or regulation adopted
8 pursuant thereto, to the contrary, beginning 90 days after the
9 effective date of this act, a person may use steel slag as an
10 aggregate in any commercial or industrial development, and a
11 licensed site remediation professional may authorize the use of steel
12 slag as an aggregate in the remediation of a contaminated site,
13 provided such use does not cause the exceedance of any:

14 (1) drinking water quality standard established by the
15 Department of Environmental Protection or the United States
16 Environmental Protection Agency; or

17 (2) groundwater quality standard established by the Department
18 of Environmental Protection.

19 b. No later than 90 days after the effective date of this act, the
20 Department of Environmental Protection shall adopt, pursuant to
21 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1
22 et seq.), rules and regulations concerning the use of steel slag as an
23 aggregate as necessary in order to ensure the protection of the
24 public health, safety, and the environment.

25 c. As used in this section:

26 "Aggregate" means a material formed from fragments or
27 particles, which can be utilized in construction or other related
28 industries.

29 "Hazardous waste" means the same as that term is defined in
30 section 3 of P.L.1981, c.279 (C.13:1E-51).

31 "Licensed site remediation professional" means the same as that
32 term is defined in section 23 of P.L.1993, c.139 (C.58:10B-1).

33 "Remediation" means the same as that term is defined in section
34 23 of P.L.1993, c.139 (C.58:10B-1).

35 "Steel slag" means the nonmetallic coproduct that results from
36 the production of steel in an electric arc furnace, and that is:

37 (1) not a hazardous waste, as determined by the department;

38 (2) poured from the furnace in a molten state, cooled, and
39 processed to remove free metallic compounds; and

40 (3) sold and distributed in the stream of commerce as an
41 aggregate and managed as an item of value in a controlled manner,
42 and is not discarded.

43

44 2. This act shall take effect immediately.

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STATEMENT

This bill would authorize the use of steel slag as an aggregate in industrial and commercial development and in the remediation of contaminated sites.

Specifically, the bill would authorize a person to use steel slag as an aggregate in any commercial or industrial development, and it would allow a licensed site remediation professional to authorize the use of steel slag as an aggregate in the remediation of a contaminated site, provided the use of steel slag does not cause the exceedance of any drinking water quality standard or groundwater quality standard established by law. The Department of Environmental Protection (DEP) would be authorized to adopt rules concerning the use of steel slag as an aggregate, as necessary in order to ensure the protection of the public health, safety, and the environment.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 642

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 7, 2022

The Assembly Environment and Solid Waste Committee reports favorably and with committee amendments Assembly Bill No. 642.

This bill, as amended by the committee, would authorize the use of steel slag as an aggregate for certain uses in industrial and commercial development and the remediation of contaminated sites.

Specifically, the bill would authorize a person to use steel slag as an aggregate in commercial or industrial development for one of the uses specified in subsection b. of the bill. The bill would also allow a licensed site remediation professional to authorize the use of steel slag as an aggregate in the remediation of a contaminated site for one of the uses specified in subsection b. of the bill. Under the bill, any authorized use of steel slag would be prohibited from causing the exceedance of any drinking water quality standard or groundwater quality standard established by law, and any steel slag would be required to meet all applicable engineering or geotechnical standards and specifications.

The bill would also authorize the Department of Environmental Protection to adopt rules concerning the use of steel slag as an aggregate, as necessary in order to ensure the protection of the public health, safety, and the environment.

This bill was pre-filed for introduction in the 2022-2023 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS

The committee amendments to the bill:

(1) provide that steel slag used pursuant to the bill would be required to meet all applicable engineering and geotechnical standards and specifications;

(2) provide that the use of steel slag as alternative fill in the remediation of a contaminated site pursuant to the bill would not require prior written approval from the Department of Environmental Protection;

(3) narrow the allowed uses of steel slag under the bill to those specified in subsection b. of the bill;

(4) add definitions for "alternative fill," "contaminant," and "remedial action" to subsection d. of the bill; and

(5) make clarifying changes to the bill's language.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 642

STATE OF NEW JERSEY

DATED: MARCH 14, 2022

The Senate Environment and Energy Committee favorably reports Assembly Bill No. 642 (1R).

This bill would authorize the use of steel slag as an aggregate for certain uses in industrial and commercial development and the remediation of contaminated sites.

Specifically, the bill would authorize a person to use steel slag as an aggregate in commercial or industrial development for one of the 12 uses specified in subsection b. of the bill. The bill would also allow a licensed site remediation professional to authorize the use of steel slag as an aggregate in the remediation of a contaminated site for one of the 12 uses specified in subsection b. of the bill. Under the bill, any authorized use of steel slag would be prohibited from causing the exceedance of any drinking water quality standard or groundwater quality standard established by law, and any steel slag would be required to meet all applicable engineering or geotechnical standards and specifications.

The bill would also authorize the Department of Environmental Protection to adopt rules concerning the use of steel slag as an aggregate, as necessary in order to ensure the protection of the public health, safety, and the environment.

The bill is identical to Senate Bill No. 1369 as also reported by the committee.

ASSEMBLY BILL NO. 642
(First Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 642 (First Reprint) with my recommendations for reconsideration.

This bill would authorize the use of steel slag, a nonmetallic and nonhazardous coproduct of steel production that is sold as an aggregate, for certain enumerated commercial and industrial uses. The Department of Environmental Protection ("DEP" or "Department") has previously determined that certain specific uses of steel slag qualify for exclusion from New Jersey's solid waste regulations and are not considered remediation activities subject to the regulatory requirements for alternative fill. Thus, DEP has found that, when used for specific purposes and in appropriate conditions, the use of steel slag does not pose a threat to the environment or human health.

I am recommending that the bill be amended to align with the uses that DEP has previously identified as qualifying for an exclusion from the Department's regulations. I am also recommending revisions to clarify that the use of steel slag for the enumerated uses is exempt from regulation as an alternative fill, but continues to be subject to DEP regulations when used outside of these specific purposes. This change is consistent with the Legislature's intent as described in the Assembly and Senate Committee Statements. Finally, I am recommending amendments to clarify that, while steel slag may be used at industrial and commercial sites being remediated by a licensed site remediation professional, the enumerated uses are not themselves remediation activities. Together, these amendments will ensure that this bill does not put the environment or human

health at risk, and will also provide greater clarity as to when steel slag may be used without Department approval.

Therefore, I herewith return Assembly Bill No. 642 (First Reprint) and recommend that it be amended as follows:

<u>Page 2, Section 1, Line 9:</u>	After "person" insert ", including a licensed site remediation professional,"
<u>Page 2, Section 1, Line 11:</u>	Delete "and" and insert "or at a commercial or industrial site at which remediation is being overseen by"
<u>Page 2, Section 1, Line 11:</u>	Delete "may"
<u>Page 2, Section 1, Line 12:</u>	Delete in its entirety
<u>Page 2, Section 1, Line 13:</u>	Delete "a contaminated site"
<u>Page 2, Section 1, Line 22:</u>	Delete in its entirety
<u>Page 2, Section 1, Line 23:</u>	Delete "regulation adopted pursuant thereto, to the contrary, the" and insert "The"
<u>Page 2, Section 1, Line 24:</u>	After "slag" insert "as provided for in subsection b. of this section is not subject to regulation"
<u>Page 2, Section 1, Line 24:</u>	Delete "in the remediation of a contaminated site" and insert "."
<u>Page 2, Section 1, Lines 25-26:</u>	Delete in their entirety
<u>Page 2, Section 1, Line 33:</u>	After "shoulders" delete "," and insert "and"
<u>Page 2, Section 1, Line 33:</u>	Delete "and select material surfacing,"
<u>Page 2, Section 1, Line 38:</u>	After "base" delete "," and insert "or"
<u>Page 2, Section 1, Line 38:</u>	Delete ", and loadbearing"
<u>Page 2, Section 1, Line 39:</u>	After "courses" insert "up to eight inches thick under permanent structures, pavements, and sidewalks, except that thicknesses greater than eight inches and up to 24 inches may be used under non-residential permanent structures only if the greater thickness is supported by an engineering justification developed by a licensed professional engineer familiar with the material justifying why a thickness greater than eight inches is needed"

Page 3, Section 1, Line 1: After "to" insert "adjust pH and"

Page 3, Section 1, Line 2: After "evaluated" insert "and approved individually"

Page 3, Section 1, Line 5: Delete ", including, but not limited to," and insert "such as"

Page 3, Section 1, Line 6: After "fills" insert "up to eight inches"

Page 3, Section 1, Line 7: After "backfill," delete "and"

Page 3, Section 1, Line 7: After "construction" insert ", and other industrial and construction activity"

Page 3, Section 1, Line 9: After "as" insert "alternate"

Page 3, Section 1, Line 12: After "material" insert "up to eight inches"

Page 3, Section 1, Lines 13-14: Delete "No later than 90 days after the effective date of this section, the" and insert "The"

Page 3, Section 1, Line 14: Delete "shall" and insert "may"

Page 3, Section 1, Line 21: Delete ", which can be utilized in construction or other related" and insert "."

Page 3, Section 1, Line 22: Delete in its entirety

Page 3, Section 1, Line 24: Delete "which contains contaminants in excess of the most stringent"

Page 3, Section 1, Lines 25-29: Delete in their entirety

Page 3, Section 1, Line 30: Delete "contaminants without standards," and insert "as defined pursuant to regulations"

[seal]

Respectfully,

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

SENATE, No. 1369

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED FEBRUARY 3, 2022

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

SYNOPSIS

Concerns use of steel slag as aggregate.

CURRENT VERSION OF TEXT

As introduced.



S1369 VITALE

2

1 **AN ACT** concerning the use of steel slag as an aggregate and
2 supplementing P.L.1987, c.102 (C.13:1E-99.11 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. Notwithstanding the provisions of any law, or rule or
8 regulation adopted pursuant thereto, to the contrary, beginning 90
9 days after the effective date of this section , a person may use steel
10 slag as an aggregate in any commercial or industrial development,
11 and a licensed site remediation professional may authorize the use
12 of steel slag as an aggregate in the remediation of a contaminated
13 site, provided that the steel slag meets all applicable engineering or
14 geotechnical standards and specifications, that such use is for a
15 purpose enumerated in subsection b. of this section, and that the use
16 does not cause the exceedance of any:

17 (1) drinking water quality standard established by the
18 Department of Environmental Protection or the United States
19 Environmental Protection Agency; or

20 (2) groundwater quality standard established by the Department
21 of Environmental Protection.

22 Notwithstanding the provisions of any law, or any rule or
23 regulation adopted pursuant thereto, to the contrary, the use of steel
24 slag as alternative fill in the remediation of a contaminated site
25 pursuant to this section shall not require prior written approval from
26 the Department of Environmental Protection.

27 b. Steel slag may be used pursuant to subsection a. of this
28 section only for the following purposes:

29 (1) as an aggregate in making cement, concrete, or bituminous
30 mixes such as pavement surfaces, wearing and binder courses,
31 bases, surface treatments, seal coats, slurry coats, and cold patch;

32 (2) as an anti-skid material or snow and ice control aggregate;

33 (3) for stabilized shoulders, banks, and select material surfacing,
34 provided that, where slag is to be used for bank and erosion control
35 adjacent to surface waters or other environmentally sensitive areas,
36 an ecological evaluation, approved by the Department of
37 Environmental Protection, is first performed;

38 (4) as engineered aggregate base, sub-base, and loadbearing
39 courses;

40 (5) as railroad ballast;

41 (6) as a replacement for limestone for the neutralization of mine
42 drainage and industrial discharge, provided that uses in, or adjacent
43 to, water abide by all other applicable laws, rules, and regulations;

44 (7) as soil amendment to reduce the leachability of contaminants
45 in the soil. A use pursuant to this paragraph shall be evaluated by
46 either a licensed site remediation professional or the Department of
47 Environmental Protection prior to its implementation;

1 (8) in controlled industrial uses, including, but not limited to,
2 granular fills required for unpaved parking and storage areas, pipe
3 and tank backfill, and berm construction;

4 (9) as a replacement for natural aggregate at steel mills;

5 (10) as cover material for roads to working surfaces at solid
6 waste landfills;

7 (11) as roofing granules; and

8 (12) as cover material for the installation of solar collectors.

9 c. No later than 90 days after the effective date of this section ,
10 the Department of Environmental Protection shall adopt, pursuant
11 to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-
12 1 et seq.), rules and regulations concerning the use of steel slag as
13 an aggregate as necessary in order to ensure the protection of the
14 public health, safety, and the environment.

15 d. As used in this section:

16 “Aggregate” means a material formed from fragments or
17 particles, which can be utilized in construction or other related
18 industries.

19 “Alternative fill” means material to be used in a remedial action,
20 which contains contaminants in excess of the most stringent soil
21 remediation standards, site-specific alternative standards, or site-
22 specific interim standards adopted pursuant to section 35 of
23 P.L.1993, c.139 (C.58:10B-12), and which does not contain free
24 liquids. “Alternative fill” includes material that contains
25 contaminants in excess of any standards, or action levels for
26 contaminants without standards, promulgated by the Department of
27 Environmental Protection.

28 “Contaminant” means the same as that term is defined in section
29 23 of P.L.1993, c.139 (C.58:10B-1).

30 “Hazardous waste” means the same as that term is defined in
31 section 3 of P.L.1981, c.279 (C.13:1E-51).

32 “Licensed site remediation professional” means the same as that
33 term is defined in section 23 of P.L.1993, c.139 (C.58:10B-1).

34 “Remedial action” means the same as that term is defined in
35 section 23 of P.L.1993, c.139 (C.58:10B-1).

36 “Remediation” means the same as that term is defined in section
37 23 of P.L.1993, c.139 (C.58:10B-1).

38 “Steel slag” means the nonmetallic coproduct that results from
39 the production of steel in an electric arc furnace, and that is:

40 (1) not a hazardous waste, as determined by the department;

41 (2) poured from the furnace in a molten state, cooled, and
42 processed to remove free metallic compounds; and

43 (3) sold and distributed in the stream of commerce as an
44 aggregate and managed as an item of value in a controlled manner,
45 and is not discarded.

46
47 2. This act shall take effect immediately.

STATEMENT

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This bill would authorize the use of steel slag as an aggregate for certain uses in industrial and commercial development and the remediation of contaminated sites.

Specifically, the bill would authorize a person to use steel slag as an aggregate in commercial or industrial development for one of the uses specified in subsection b. of section 1 of the bill. The bill would also allow a licensed site remediation professional to authorize the use of steel slag as an aggregate in the remediation of a contaminated site for one of the uses specified in subsection b. of section 1 of the bill. The bill would provide that the use of steel slag as alternative fill in the remediation of a contaminated site would not require prior written approval from the Department of Environmental Protection (DEP). Under the bill, any authorized use of steel slag would be prohibited from causing the exceedance of any drinking water quality standard or groundwater quality standard established by law, and any steel slag would be required to meet all applicable engineering or geotechnical standards and specifications.

The bill would also authorize the DEP to adopt rules concerning the use of steel slag as an aggregate, as necessary in order to ensure the protection of the public health, safety, and the environment.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 1369

STATE OF NEW JERSEY

DATED: MARCH 14, 2022

The Senate Environment and Energy Committee favorably reports Senate Bill No. 1369.

This bill would authorize the use of steel slag as an aggregate for certain uses in industrial and commercial development and the remediation of contaminated sites.

Specifically, the bill would authorize a person to use steel slag as an aggregate in commercial or industrial development for one of the 12 uses specified in subsection b. of section 1 of the bill. The bill would also allow a licensed site remediation professional to authorize the use of steel slag as an aggregate in the remediation of a contaminated site for one of the 12 uses specified in subsection b. of section 1 of the bill. The bill would provide that the use of steel slag as alternative fill in the remediation of a contaminated site would not require prior written approval from the Department of Environmental Protection (DEP). Under the bill, any authorized use of steel slag would be prohibited from causing the exceedance of any drinking water quality standard or groundwater quality standard established by law, and any steel slag would be required to meet all applicable engineering or geotechnical standards and specifications.

The bill would also authorize the DEP to adopt rules concerning the use of steel slag as an aggregate, as necessary in order to ensure the protection of the public health, safety, and the environment.

The bill is identical to Assembly Bill No. 642 (1R) as also reported by the committee.

Governor Murphy Takes Action on Legislation

05/9/2022

TRENTON – Today, Governor Phil Murphy signed the following bills into law:

S-356/A-3089 (Gopal, Stanfield/Benson, Haider, Spearman) - Provides for lifetime disqualification from operating commercial motor vehicle and transportation network company vehicle for persons convicted of human trafficking

S-399/A-3146 (Johnson, A.M. Bucco/Park, Jaffer, Greenwald) - Increases contribution limit by counties and municipalities to volunteer first aid, ambulance, and rescue squads

S-906/A-2847 (Diegnan, Holzapfel/Benson, McKnight) - Authorizes transfer on death (TOD) of title to motor vehicle

A-1115/S-1679 (Chaparro, Reynolds-Jackson, Danielsen/Pou, Turner) - Requires DEP to prioritize funding for environmental infrastructure projects for applicants with established program to employ, at project or related facilities, local residents or residents of nearby urban aid qualifying municipalities

Governor Murphy conditionally vetoed the following bills:

A-642/S-1369 (Coughlin, Dancer/Vitale) – CONDITIONAL - Concerns use of steel slag as aggregate

[Copy of Statement](#)

A-2472/S-510 (McGuckin, Moriarty, Auth, Piperno/Cryan) – CONDITIONAL - Establishes bribery in official and political matters applies to person soliciting, accepting, or agreeing to accept benefit as consideration to act even though not yet in office or otherwise qualified to act

[Copy of Statement](#)

ASSEMBLY BILL NO. 642
(First Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 642 (First Reprint) with my recommendations for reconsideration.

This bill would authorize the use of steel slag, a nonmetallic and nonhazardous coproduct of steel production that is sold as an aggregate, for certain enumerated commercial and industrial uses. The Department of Environmental Protection ("DEP" or "Department") has previously determined that certain specific uses of steel slag qualify for exclusion from New Jersey's solid waste regulations and are not considered remediation activities subject to the regulatory requirements for alternative fill. Thus, DEP has found that, when used for specific purposes and in appropriate conditions, the use of steel slag does not pose a threat to the environment or human health.

I am recommending that the bill be amended to align with the uses that DEP has previously identified as qualifying for an exclusion from the Department's regulations. I am also recommending revisions to clarify that the use of steel slag for the enumerated uses is exempt from regulation as an alternative fill, but continues to be subject to DEP regulations when used outside of these specific purposes. This change is consistent with the Legislature's intent as described in the Assembly and Senate Committee Statements. Finally, I am recommending amendments to clarify that, while steel slag may be used at industrial and commercial sites being remediated by a licensed site remediation professional, the enumerated uses are not themselves remediation activities. Together, these amendments will ensure that this bill does not put the environment or human

health at risk, and will also provide greater clarity as to when steel slag may be used without Department approval.

Therefore, I herewith return Assembly Bill No. 642 (First Reprint) and recommend that it be amended as follows:

- Page 2, Section 1, Line 9: After "person" insert ", including a licensed site remediation professional,"
- Page 2, Section 1, Line 11: Delete "and" and insert "or at a commercial or industrial site at which remediation is being overseen by"
- Page 2, Section 1, Line 11: Delete "may"
- Page 2, Section 1, Line 12: Delete in its entirety
- Page 2, Section 1, Line 13: Delete "a contaminated site"
- Page 2, Section 1, Line 22: Delete in its entirety
- Page 2, Section 1, Line 23: Delete "regulation adopted pursuant thereto, to the contrary, the" and insert "The"
- Page 2, Section 1, Line 24: After "slag" insert "as provided for in subsection b. of this section is not subject to regulation"
- Page 2, Section 1, Line 24: Delete "in the remediation of a contaminated site" and insert "."
- Page 2, Section 1, Lines 25-26: Delete in their entirety
- Page 2, Section 1, Line 33: After "shoulders" delete "," and insert "and"
- Page 2, Section 1, Line 33: Delete "and select material surfacing,"
- Page 2, Section 1, Line 38: After "base" delete "," and insert "or"
- Page 2, Section 1, Line 38: Delete ", and loadbearing"
- Page 2, Section 1, Line 39: After "courses" insert "up to eight inches thick under permanent structures, pavements, and sidewalks, except that thicknesses greater than eight inches and up to 24 inches may be used under non-residential permanent structures only if the greater thickness is supported by an engineering justification developed by a licensed professional engineer familiar with the material"

justifying why a thickness greater than eight inches is needed"

- Page 3, Section 1, Line 1: After "to" insert "adjust pH and"
- Page 3, Section 1, Line 2: After "evaluated" insert "and approved individually"
- Page 3, Section 1, Line 5: Delete ", including, but not limited to," and insert "such as"
- Page 3, Section 1, Line 6: After "fills" insert "up to eight inches"
- Page 3, Section 1, Line 7: After "backfill," delete "and"
- Page 3, Section 1, Line 7: After "construction" insert ", and other industrial and construction activity"
- Page 3, Section 1, Line 9: After "as" insert "alternate"
- Page 3, Section 1, Line 12: After "material" insert "up to eight inches"
- Page 3, Section 1, Lines 13-14: Delete "No later than 90 days after the effective date of this section, the" and insert "The"
- Page 3, Section 1, Line 14: Delete "shall" and insert "may"
- Page 3, Section 1, Line 21: Delete ", which can be utilized in construction or other related" and insert "."
- Page 3, Section 1, Line 22: Delete in its entirety
- Page 3, Section 1, Line 24: Delete "which contains contaminants in excess of the most stringent"
- Page 3, Section 1, Lines 25-29: Delete in their entirety
- Page 3, Section 1, Line 30: Delete "contaminants without standards," and insert "as defined pursuant to regulations"

[seal]

Respectfully,

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

Governor Murphy Takes Action on Legislation

06/24/2022

TRENTON – Today, Governor Phil Murphy signed the following bill into law:

A-642wGR/S1369 (Coughlin, Dancer/Vitale) - Concerns use of steel slag as aggregate