

58:10A-6.4

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2003 **CHAPTER:** 196
NJSA: 58:10A-6.4 (Bans discharge of groundwater from GEMS Landfill)
BILL NO: S2429 (Substituted for A3946)

SPONSOR(S): Adler and others

DATE INTRODUCED: March 20, 2003

COMMITTEE: **ASSEMBLY:** ----

SENATE: Environment

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** December 15, 2003

SENATE: June 30, 2003

DATE OF APPROVAL: December 16, 2003

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (1st reprint enacted)
(Amendments during passage denoted by superscript numbers)

S2429

[SPONSOR'S STATEMENT:](#) (Begins on page 4 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A3946

[SPONSOR'S STATEMENT:](#) (Begins on page 4 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

[GOVERNOR'S PRESS RELEASE ON SIGNING:](#) [Yes](#)

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or <mailto:refdesk@njstatelib.org>.

REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

Yes

"Clash brewing over landfill water," 12-17-2003 Courier-Post, p.3B

"Governor approves GEMS sanction," 12-17-2003 Philadelphia Inquirer, p.B3

"State backs Superfund cleanup foes," 12-17-2003 Star Ledger, p.39

§§1,2 -
C.58:10A-6.4
& 58:10A-6.5
§3 - T&E
§4 - C.58:10-6.6

P.L. 2003, CHAPTER 196, *approved December 16, 2003*
Senate, No. 2429 (*First Reprint*)

1 **AN ACT** concerning certain hazardous discharge sites, and
2 supplementing P.L.1977, c.74 (C.58:10A-1 et seq.).
3

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

7 1. As used in P.L. , c. (C.) (now before the Legislature as
8 this bill):

9 "Discharge" means an intentional or unintentional action or
10 omission resulting in the releasing, spilling, leaking, pumping, pouring,
11 emitting, emptying, or dumping of a pollutant into the waters of the
12 State, onto land or into wells from which it might flow or drain into
13 said waters or into waters or onto lands outside the jurisdiction of the
14 State, which pollutant enters the waters of the State. "Discharge"
15 includes the release of any pollutant into a municipal treatment works;

16 "Municipal treatment works" means the treatment works of any
17 municipal, county, or State agency or any agency or subdivision
18 created by one or more municipal, county or State governments and
19 the treatment works of any public utility as defined in R.S.48:2-13;

20 "Treatment works" means any device or systems, whether public or
21 private, used in the storage, treatment, recycling, or reclamation of
22 municipal or industrial waste of a liquid nature including intercepting
23 sewers, outfall sewers, sewage collection systems, cooling towers and
24 ponds, pumping, power and other equipment and their appurtenances;
25 extensions, improvements, remodeling, additions, and alterations
26 thereof; elements essential to provide a reliable recycled supply such
27 as standby treatment units and clear well facilities; and any other
28 works including sites for the treatment process or for ultimate disposal
29 of residues resulting from such treatment. "Treatment works" includes
30 any other method or system for preventing, abating, reducing, storing,
31 treating, separating, or disposing of pollutants, including storm water
32 runoff, or industrial waste in combined or separate storm water and
33 sanitary sewer systems; and

34 "Waters of the State" means the ocean and its estuaries, all springs,
35 streams and bodies of surface or ground water, whether natural or
36 artificial, within the boundaries of this State or subject to its
37 jurisdiction.

38 2. a. The operator of a hazardous discharge site in the State that

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SEN committee amendments adopted June 12, 2003.

1 is ¹: (1) situated within a municipality of the second class which is
2 located within a county of the second class with a population density
3 of 2,289.4 persons per square mile, according to the latest federal
4 decennial census; (2)¹ a former landfill¹;¹ and ¹[which] (3) that¹ is
5 included on the National Priorities List of hazardous discharge sites
6 adopted by the United States Environmental Protection Agency
7 pursuant to the "Comprehensive Environmental Response,
8 Compensation, and Liability Act of 1980," Pub.L.96-510 (42 U.S.C.
9 s.9601 et seq.) shall not discharge any untreated or pre-treated
10 wastewater into a publicly owned municipal treatment works for
11 treatment and subsequent release into the waters of the State or into
12 any municipal utility sewer line or storm drain line for subsequent
13 release into the waters of the State.

14 b. The owner or operator of a publicly owned municipal treatment
15 works or municipal utility sewer line or storm drain line shall not
16 accept any untreated or pre-treated wastewater discharged from a
17 former landfill in the State that is ¹situated within a municipality of the
18 second class which is located within a county of the second class with
19 a population density of 2,289.4 persons per square mile, according to
20 the latest federal decennial census and that is¹ a hazardous discharge
21 site included on the National Priorities List of hazardous discharge
22 sites adopted by the United States Environmental Protection Agency
23 pursuant to the "Comprehensive Environmental Response,
24 Compensation, and Liability Act of 1980," Pub.L.96-510 (42 U.S.C.
25 s.9601 et seq.).

26
27 3. The Department of Environmental Protection, in consultation
28 with the United States Environmental Protection Agency, shall, within
29 six months after the date of enactment of P.L. , c. (C.) (now
30 before the Legislature as this bill), conduct a study re-evaluating the
31 existing standards for discharges of untreated or pre-treated
32 wastewater from former landfills in the State that are hazardous
33 discharge sites included on the National Priorities List of hazardous
34 discharge sites adopted by the United States Environmental Protection
35 Agency pursuant to the "Comprehensive Environmental Response,
36 Compensation, and Liability Act of 1980," Pub.L.96-510 (42 U.S.C.
37 s.9601 et seq.). The department shall, within three months after
38 completion of the study, prepare and transmit a written report of its
39 findings and conclusions, together with any recommendations for
40 legislative or administrative action, to the Governor, the President of
41 the Senate, the Speaker of the General Assembly, and the chairpersons
42 of the Senate Environment Committee, Assembly Environment
43 Committee, and Assembly Agriculture and Natural Resources
44 Committee, or their successors.

45
46 4. If there are radionuclides in or about the waters at or near a
47 former landfill that is ¹situated within a municipality of the second

1 class which is located within a county of the second class with a
2 population density of 2,289.4 persons per square mile, according to
3 the latest federal decennial census and that is¹ a hazardous discharge
4 site subject to the requirements of section 2 of P.L. , c. (C.)
5 (now before the Legislature as this bill), the operator of the hazardous
6 discharge site shall:

7 a. Construct an on-site treatment facility designed to remediate the
8 former landfill so that the treated wastewater is environmentally safe
9 for discharge to the groundwater on-site, as part of a comprehensive
10 on-site treatment program which shall also include remedial treatment
11 for the radionuclides in or about the waters at or near the former
12 landfill;

13 b. Make available to the public free of charge the results of the
14 testing for any pollutants at the site immediately upon their
15 production;

16 c. In conjunction with appropriate officials of the Department of
17 Environmental Protection and, if applicable, the federal government,
18 hold regular monthly public meetings concerning the remediation so
19 that the public may be apprised of the progress of the remediation
20 plan, the treatment options being proposed and considered, the cost
21 for the various treatment options being considered, the content and
22 concentrations of the various pollutants existing at the site, the time-
23 frame for completion of construction of any treatment facility, and the
24 time-frame for the completion of the remediation; and

25 d. For the purpose of engendering public trust in the cleanup
26 process, give a public accounting of the funds that have been spent to
27 remediate the site, which shall include providing the costs and
28 expenditures associated with constructing and operating the treatment
29 facility and with designing and operating the facility to also treat
30 radionuclides, as well as any other costs and expenditures associated
31 with the remediation.

32

33 5. This act shall take effect immediately.

34

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38 Prohibits discharge of untreated or pre-treated wastewater from
39 Superfund former landfill sites into publicly owned treatment works;
40 and imposes certain remediation requirements on Superfund former
41 landfill sites with radionuclide pollutants.

SENATE, No. 2429

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED MARCH 20, 2003

Sponsored by:

Senator JOHN H. ADLER

District 6 (Camden)

Senator GEORGE F. GEIST

District 4 (Camden and Gloucester)

SYNOPSIS

Prohibits discharge of untreated or pre-treated wastewater from Superfund former landfill sites into publicly owned treatment works; and imposes certain remediation requirements on Superfund former landfill sites with radionuclide pollutants.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/10/2003)

1 AN ACT concerning certain hazardous discharge sites, and
2 supplementing P.L.1977, c.74 (C.58:10A-1 et seq.).

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. As used in P.L. , c. (C.) (now before the Legislature as
8 this bill):

9 "Discharge" means an intentional or unintentional action or
10 omission resulting in the releasing, spilling, leaking, pumping, pouring,
11 emitting, emptying, or dumping of a pollutant into the waters of the
12 State, onto land or into wells from which it might flow or drain into
13 said waters or into waters or onto lands outside the jurisdiction of the
14 State, which pollutant enters the waters of the State. "Discharge"
15 includes the release of any pollutant into a municipal treatment works;

16 "Municipal treatment works" means the treatment works of any
17 municipal, county, or State agency or any agency or subdivision
18 created by one or more municipal, county or State governments and
19 the treatment works of any public utility as defined in R.S.48:2-13;

20 "Treatment works" means any device or systems, whether public or
21 private, used in the storage, treatment, recycling, or reclamation of
22 municipal or industrial waste of a liquid nature including intercepting
23 sewers, outfall sewers, sewage collection systems, cooling towers and
24 ponds, pumping, power and other equipment and their appurtenances;
25 extensions, improvements, remodeling, additions, and alterations
26 thereof; elements essential to provide a reliable recycled supply such
27 as standby treatment units and clear well facilities; and any other
28 works including sites for the treatment process or for ultimate disposal
29 of residues resulting from such treatment. "Treatment works" includes
30 any other method or system for preventing, abating, reducing, storing,
31 treating, separating, or disposing of pollutants, including storm water
32 runoff, or industrial waste in combined or separate storm water and
33 sanitary sewer systems; and

34 "Waters of the State" means the ocean and its estuaries, all springs,
35 streams and bodies of surface or ground water, whether natural or
36 artificial, within the boundaries of this State or subject to its
37 jurisdiction.

38
39 2. a. The operator of a hazardous discharge site in the State that
40 is a former landfill and which is included on the National Priorities List
41 of hazardous discharge sites adopted by the United States
42 Environmental Protection Agency pursuant to the "Comprehensive
43 Environmental Response, Compensation, and Liability Act of 1980,"
44 Pub.L.96-510 (42 U.S.C. s.9601 et seq.) shall not discharge any
45 untreated or pre-treated wastewater into a publicly owned municipal
46 treatment works for treatment and subsequent release into the waters

1 of the State or into any municipal utility sewer line or storm drain line
2 for subsequent release into the waters of the State.

3 b. The owner or operator of a publicly owned municipal treatment
4 works or municipal utility sewer line or storm drain line shall not
5 accept any untreated or pre-treated wastewater discharged from a
6 former landfill in the State that is a hazardous discharge site included
7 on the National Priorities List of hazardous discharge sites adopted by
8 the United States Environmental Protection Agency pursuant to the
9 "Comprehensive Environmental Response, Compensation, and
10 Liability Act of 1980," Pub.L.96-510 (42 U.S.C. s.9601 et seq.).

11
12 3. The Department of Environmental Protection, in consultation
13 with the United States Environmental Protection Agency, shall, within
14 six months after the date of enactment of P.L. , c. (C.) (now
15 before the Legislature as this bill), conduct a study re-evaluating the
16 existing standards for discharges of untreated or pre-treated
17 wastewater from former landfills in the State that are hazardous
18 discharge sites included on the National Priorities List of hazardous
19 discharge sites adopted by the United States Environmental Protection
20 Agency pursuant to the "Comprehensive Environmental Response,
21 Compensation, and Liability Act of 1980," Pub.L.96-510 (42 U.S.C.
22 s.9601 et seq.). The department shall, within three months after
23 completion of the study, prepare and transmit a written report of its
24 findings and conclusions, together with any recommendations for
25 legislative or administrative action, to the Governor, the President of
26 the Senate, the Speaker of the General Assembly, and the chairpersons
27 of the Senate Environment Committee, Assembly Environment
28 Committee, and Assembly Agriculture and Natural Resources
29 Committee, or their successors.

30
31 4. If there are radionuclides in or about the waters at or near a
32 former landfill that is a hazardous discharge site subject to the
33 requirements of section 2 of P.L. , c. (C.) (now before the
34 Legislature as this bill), the operator of the hazardous discharge site
35 shall:

36 a. Construct an on-site treatment facility designed to remediate the
37 former landfill so that the treated wastewater is environmentally safe
38 for discharge to the groundwater on-site, as part of a comprehensive
39 on-site treatment program which shall also include remedial treatment
40 for the radionuclides in or about the waters at or near the former
41 landfill;

42 b. Make available to the public free of charge the results of the
43 testing for any pollutants at the site immediately upon their
44 production;

45 c. In conjunction with appropriate officials of the Department of
46 Environmental Protection and, if applicable, the federal government,

1 hold regular monthly public meetings concerning the remediation so
2 that the public may be apprised of the progress of the remediation
3 plan, the treatment options being proposed and considered, the cost
4 for the various treatment options being considered, the content and
5 concentrations of the various pollutants existing at the site, the time-
6 frame for completion of construction of any treatment facility, and the
7 time-frame for the completion of the remediation; and

8 d. For the purpose of engendering public trust in the cleanup
9 process, give a public accounting of the funds that have been spent to
10 remediate the site, which shall include providing the costs and
11 expenditures associated with constructing and operating the treatment
12 facility and with designing and operating the facility to also treat
13 radionuclides, as well as any other costs and expenditures associated
14 with the remediation.

15
16 5. This act shall take effect immediately.

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19 STATEMENT

20
21 This bill would prohibit the discharge of untreated or pre-treated
22 wastewater from Superfund sites that are former landfills into
23 municipal utility sewer lines or storm drain lines, and into publicly
24 owned treatment works. The bill would also prohibit any publicly
25 owned treatment works from accepting any untreated or pre-treated
26 wastewater discharged from a Superfund site. The bill would provide
27 that if there are radionuclides in or about the waters at or near a
28 former landfill that is a Superfund site subject to the bill, the operator
29 of the site must construct an on-site treatment facility designed to
30 remediate the former landfill so that the treated wastewater is
31 environmentally safe for discharge to the groundwater on-site, as part
32 of a comprehensive on-site treatment program which shall also include
33 remedial treatment for the radionuclides in or about the waters at or
34 near the former landfill, make available to the public free of charge the
35 results of the testing for any pollutants at the site immediately upon
36 their production, in conjunction with appropriate DEP officials and, if
37 applicable, the federal government, hold regular monthly public
38 meetings concerning the remediation so that the public may be
39 apprised of the progress of the remediation plan, the treatment options
40 being proposed and considered, the cost for the various treatment
41 options being considered, the content and concentrations of the
42 various pollutants existing at the site, the time-frame for completion
43 of construction of any treatment facility, and the time-frame for the
44 completion of the remediation, and for the purpose of engendering
45 public trust in the cleanup process, give a public accounting of the
46 funds that have been spent to remediate the site, which shall include

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1 providing the costs and expenditures associated with constructing and
2 operating the treatment facility and with designing and operating the
3 facility to also treat radionuclides, as well as any other costs and
4 expenditures associated with the remediation.

5 The bill would also require the Department of Environmental
6 Protection (DEP), in consultation with the United States
7 Environmental Protection Agency, to, within six months, conduct a
8 study re-evaluating the existing standards for discharges of untreated
9 or pre-treated wastewater from former landfills that are Superfund
10 sites.

SENATE ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE, No. 2429

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 12, 2003

The Senate Environment Committee reports favorably Senate Bill No. 2429 with committee amendments.

Senate Bill No. 2429 would prohibit the discharge of untreated or pre-treated wastewater from Superfund sites that are former landfills into municipal utility sewer lines or storm drain lines, and into publicly owned treatment works. The bill would also prohibit any publicly owned treatment works from accepting any untreated or pre-treated wastewater discharged from a Superfund site.

The bill would provide that if there are radionuclides in or about the waters at or near a former landfill that is a Superfund site subject to the bill, the operator of the site must construct an on-site treatment facility designed to remediate the former landfill so that the treated wastewater is environmentally safe for discharge to the groundwater on-site, as part of a comprehensive on-site treatment program which shall also include remedial treatment for the radionuclides in or about the waters at or near the former landfill, make available to the public free of charge the results of the testing for any pollutants at the site immediately upon their production, in conjunction with appropriate officials of the Department of Environmental Protection (DEP) and, if applicable, the federal government, hold regular monthly public meetings concerning the remediation so that the public may be apprised of the progress of the remediation plan, the treatment options being proposed and considered, the cost for the various treatment options being considered, the content and concentrations of the various pollutants existing at the site, the time-frame for completion of construction of any treatment facility, and the time-frame for the completion of the remediation, and for the purpose of engendering public trust in the cleanup process, give a public accounting of the funds that have been spent to remediate the site, which shall include providing the costs and expenditures associated with constructing and operating the treatment facility and with designing and operating the facility to also treat radionuclides, as well as any other costs and expenditures associated with the remediation.

The bill would also require the DEP, in consultation with the United States Environmental Protection Agency, to, within six months,

conduct a study re-evaluating the existing standards for discharges of untreated or pre-treated wastewater from former landfills that are Superfund sites.

COMMITTEE AMENDMENTS:

The committee amendments to the bill would limit the applicability of sections 2 and 4 of the bill to those former landfills that are Superfund sites that are situated within municipalities of the second class which are located within a county of the second class with a population density of 2,289.4 persons per square mile, according to the 2000 federal census.

Section 2 prohibits the discharge of untreated or pre-treated wastewater from Superfund sites that are former landfills into municipal utility sewer lines or storm drain lines, and into publicly owned treatment works and also prohibits any publicly owned treatment works from accepting any untreated or pre-treated wastewater discharged from a Superfund site.

Section 4 provides that if there are radionuclides in or about the waters at or near a former landfill that is a Superfund site, the operator of the site must construct an on-site treatment facility designed to remediate the former landfill so that the treated wastewater is environmentally safe for discharge to the groundwater on-site, as part of a comprehensive on-site treatment program.

ASSEMBLY, No. 3946

STATE OF NEW JERSEY

210th LEGISLATURE

INTRODUCED DECEMBER 11, 2003

Sponsored by:

Assemblyman ROBERT J. SMITH

District 4 (Camden and Gloucester)

Assemblyman LOUIS D. GREENWALD

District 6 (Camden)

Co-Sponsored by:

Assemblywoman Previte

SYNOPSIS

Prohibits discharge of untreated or pre-treated wastewater from Superfund former landfill sites into publicly owned treatment works; and imposes certain remediation requirements on Superfund former landfill sites with radionuclide pollutants.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/16/2003)

1 AN ACT concerning certain hazardous discharge sites, and
2 supplementing P.L.1977, c.74 (C.58:10A-1 et seq.).

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. As used in P.L. , c. (C.) (now before the Legislature as
8 this bill):

9 "Discharge" means an intentional or unintentional action or
10 omission resulting in the releasing, spilling, leaking, pumping, pouring,
11 emitting, emptying, or dumping of a pollutant into the waters of the
12 State, onto land or into wells from which it might flow or drain into
13 said waters or into waters or onto lands outside the jurisdiction of the
14 State, which pollutant enters the waters of the State. "Discharge"
15 includes the release of any pollutant into a municipal treatment works;

16 "Municipal treatment works" means the treatment works of any
17 municipal, county, or State agency or any agency or subdivision
18 created by one or more municipal, county or State governments and
19 the treatment works of any public utility as defined in R.S.48:2-13;

20 "Treatment works" means any device or systems, whether public or
21 private, used in the storage, treatment, recycling, or reclamation of
22 municipal or industrial waste of a liquid nature including intercepting
23 sewers, outfall sewers, sewage collection systems, cooling towers and
24 ponds, pumping, power and other equipment and their appurtenances;
25 extensions, improvements, remodeling, additions, and alterations
26 thereof; elements essential to provide a reliable recycled supply such
27 as standby treatment units and clear well facilities; and any other
28 works including sites for the treatment process or for ultimate disposal
29 of residues resulting from such treatment. "Treatment works" includes
30 any other method or system for preventing, abating, reducing, storing,
31 treating, separating, or disposing of pollutants, including storm water
32 runoff, or industrial waste in combined or separate storm water and
33 sanitary sewer systems; and

34 "Waters of the State" means the ocean and its estuaries, all springs,
35 streams and bodies of surface or ground water, whether natural or
36 artificial, within the boundaries of this State or subject to its
37 jurisdiction.

38
39 2. a. The operator of a hazardous discharge site in the State that
40 is: (1) situated within a municipality of the second class which is
41 located within a county of the second class with a population density
42 of 2,289.4 persons per square mile, according to the latest federal
43 decennial census; (2) a former landfill; and (3) that is included on the
44 National Priorities List of hazardous discharge sites adopted by the
45 United States Environmental Protection Agency pursuant to the
46 "Comprehensive Environmental Response, Compensation, and

1 Liability Act of 1980," Pub.L.96-510 (42 U.S.C. s.9601 et seq.) shall
2 not discharge any untreated or pre-treated wastewater into a publicly
3 owned municipal treatment works for treatment and subsequent
4 release into the waters of the State or into any municipal utility sewer
5 line or storm drain line for subsequent release into the waters of the
6 State.

7 b. The owner or operator of a publicly owned municipal treatment
8 works or municipal utility sewer line or storm drain line shall not
9 accept any untreated or pre-treated wastewater discharged from a
10 former landfill in the State that is situated within a municipality of the
11 second class which is located within a county of the second class with
12 a population density of 2,289.4 persons per square mile, according to
13 the latest federal decennial census and that is a hazardous discharge
14 site included on the National Priorities List of hazardous discharge
15 sites adopted by the United States Environmental Protection Agency
16 pursuant to the "Comprehensive Environmental Response,
17 Compensation, and Liability Act of 1980," Pub.L.96-510 (42 U.S.C.
18 s.9601 et seq.).

19
20 3. The Department of Environmental Protection, in consultation
21 with the United States Environmental Protection Agency, shall, within
22 six months after the date of enactment of P.L. , c. (C.) (now
23 before the Legislature as this bill), conduct a study re-evaluating the
24 existing standards for discharges of untreated or pre-treated
25 wastewater from former landfills in the State that are hazardous
26 discharge sites included on the National Priorities List of hazardous
27 discharge sites adopted by the United States Environmental Protection
28 Agency pursuant to the "Comprehensive Environmental Response,
29 Compensation, and Liability Act of 1980," Pub.L.96-510 (42 U.S.C.
30 s.9601 et seq.). The department shall, within three months after
31 completion of the study, prepare and transmit a written report of its
32 findings and conclusions, together with any recommendations for
33 legislative or administrative action, to the Governor, the President of
34 the Senate, the Speaker of the General Assembly, and the chairpersons
35 of the Senate Environment Committee, Assembly Environment
36 Committee, and Assembly Agriculture and Natural Resources
37 Committee, or their successors.

38
39 4. If there are radionuclides in or about the waters at or near a
40 former landfill that is situated within a municipality of the second class
41 which is located within a county of the second class with a population
42 density of 2,289.4 persons per square mile, according to the latest
43 federal decennial census and that is a hazardous discharge site subject
44 to the requirements of section 2 of P.L. , c. (C.) (now before
45 the Legislature as this bill), the operator of the hazardous discharge
46 site shall:

1 a. Construct an on-site treatment facility designed to remediate the
2 former landfill so that the treated wastewater is environmentally safe
3 for discharge to the groundwater on-site, as part of a comprehensive
4 on-site treatment program which shall also include remedial treatment
5 for the radionuclides in or about the waters at or near the former
6 landfill;

7 b. Make available to the public free of charge the results of the
8 testing for any pollutants at the site immediately upon their
9 production;

10 c. In conjunction with appropriate officials of the Department of
11 Environmental Protection and, if applicable, the federal government,
12 hold regular monthly public meetings concerning the remediation so
13 that the public may be apprised of the progress of the remediation
14 plan, the treatment options being proposed and considered, the cost
15 for the various treatment options being considered, the content and
16 concentrations of the various pollutants existing at the site, the time-
17 frame for completion of construction of any treatment facility, and the
18 time-frame for the completion of the remediation; and

19 d. For the purpose of engendering public trust in the cleanup
20 process, give a public accounting of the funds that have been spent to
21 remediate the site, which shall include providing the costs and
22 expenditures associated with constructing and operating the treatment
23 facility and with designing and operating the facility to also treat
24 radionuclides, as well as any other costs and expenditures associated
25 with the remediation.

26

27 5. This act shall take effect immediately.

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STATEMENT

31

32 This bill would prohibit the discharge of untreated or pre-treated
33 wastewater from Superfund sites that are former landfills and are
34 situated within municipalities of the second class which are located
35 within a county of the second class with a population density of
36 2,289.4 persons per square mile, according to the latest federal
37 decennial census, into municipal utility sewer lines or storm drain lines
38 and into publicly owned treatment works. The bill would also prohibit
39 any publicly owned treatment works from accepting any untreated or
40 pre-treated wastewater discharged from such a Superfund site.

41 The bill would provide that if there are radionuclides in or about the
42 waters at or near a former landfill that is a Superfund site subject to
43 the bill, the operator of the site must (1) construct an on-site treatment
44 facility designed to remediate the former landfill so that the treated
45 wastewater is environmentally safe for discharge to the groundwater
46 on-site, as part of a comprehensive on-site treatment program which

1 shall also include remedial treatment for the radionuclides in or about
2 the waters at or near the former landfill, (2) make available to the
3 public free of charge the results of the testing for any pollutants at the
4 site immediately upon their production, (3) in conjunction with
5 appropriate officials of the Department of Environmental Protection
6 (DEP) and, if applicable, the federal government, hold regular monthly
7 public meetings concerning the remediation so that the public may be
8 apprised of the progress of the remediation plan, the treatment options
9 being proposed and considered, the cost for the various treatment
10 options being considered, the content and concentrations of the
11 various pollutants existing at the site, the time-frame for completion
12 of construction of any treatment facility, and the time-frame for the
13 completion of the remediation, and (4) for the purpose of engendering
14 public trust in the cleanup process, give a public accounting of the
15 funds that have been spent to remediate the site, which shall include
16 providing the costs and expenditures associated with constructing and
17 operating the treatment facility and with designing and operating the
18 facility to also treat radionuclides, as well as any other costs and
19 expenditures associated with the remediation.

20 The bill would also require the DEP, in consultation with the United
21 States Environmental Protection Agency, to, within six months,
22 conduct a study re-evaluating the existing standards for discharges of
23 untreated or pre-treated wastewater from former landfills that are
24 Superfund sites.

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Governor McGreevey Signs Bill to Stop Polluters from Endangering Drinking Water

Another step in Governor's efforts to hold polluters accountable and to provide safe drinking water to New Jersey's families

(DEPTFORD)—Taking another strong step forward in his efforts to provide safe, clean drinking water for New Jersey's families, Governor James E. McGreevey today signed legislation that would prevent polluters from dumping Superfund wastewater into public sewers.

The Governor signed the legislation at a meeting with Department of Environmental Protection Commissioner Bradley M. Campbell, legislators, and approximately two-dozen local environmentalists at Deptford Town Hall.

"We must provide our families with safe, clean drinking water," said McGreevey. "New Jersey's families have enough to worry about, and shouldn't have to worry about the quality of our drinking water. No longer will dirty wastewater from the GEMS landfill be allowed into our sewers or drains. The public should rest assured that we are holding polluters accountable, and making them fix the problem where it starts."

"This legislation is about doing more to protect our waster resources and helping towns across Camden County know that pollution at the former GEMS landfill is both cleaned up properly and disposed of safely," said Campbell. "Governor McGreevey has shown again that through collective leadership – the state working with legislators and community members – we can safeguard our environment and hold polluters accountable for the contamination they have left behind."

Senate Bill 2429, which passed the Legislature yesterday, prohibits discharge of untreated or pre-treated wastewater from Superfund former landfill sites into publicly owned treatment works, and imposes certain remediation requirements on Superfund former landfill sites with radionuclide pollutants. The bill also requires landfill operators to provide the public all final test results for any pollutants at the site, and to hold monthly public meetings about the clean-up progress. In addition, the DEP, in consultation with the EPA, must within six months, conduct a study re-evaluating the existing standards for discharges of untreated or

pre-treated wastewater from Superfund landfill sites.

"With the Governor's signature on this bill, the people of Camden County will no longer have to wonder if their drinking water is slowly killing them every time they turn on the tap," said Senator John H. Adler, D-Cherry Hill. "Not only will this new law protect current Camden County residents, it will protect residents thirty years down the line, who may have otherwise been adversely affected by the discharged radiation."

"Swift enactment of this measure clearly illustrates our commitment to safeguarding drinking water for Gloucester Township and area residents," said Assemblyman Robert J. Smith (D-Gloucester). "This is an important step to protect families from radioactive wastewater in the former GEMS landfill."

"Today's action sends a clear message that New Jersey will not tolerate practices that could pollute our water sources," said Assemblyman Louis D. Greenwald (D-Camden). "For the 30,000 people who live in close proximity to the former landfill, we cannot be too careful in protecting their health and safety."

The Governor has made protecting our natural resources a top priority since taking office. In his first two years, the State has collected more than double the amount of polluter settlements than was collected during the program's first 8 years (\$23.9 million versus \$9.3 million). Last month, the Governor announced the single, largest settlement ever in New Jersey history--\$17 million.

The Governor has also taken strong actions to protect our drinking water from pollution and development. He has protected 7,865 acres of reservoirs and 96 miles of rivers and streams that provide drinking water to one-half of the state's population. An additional 500 miles of streams and rivers throughout New Jersey have been proposed for protection. The Governor is also suing the Bush Administration for attempting to weaken the Clean Air Act, won a lawsuit against a Midwest coal plant, and successfully shut down a Pennsylvania power plant along the Delaware River.



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