

# 2nd EJ Rulemaking Stakeholder Meeting

Geographic Points of  
Comparison

Facility & Permit Definitions

01/20/21

# Rules of Engagement

- Please remain on mute unless speaking.
- When you want to speak during facilitated discussion, please use the "Raise Hand" function.
- Treat everyone with respect.
- Limit your comment or question to the topic being discussed.
- Limit facilitated discussion comments to two minutes. We will physically raise our hand as you approach 90 seconds.
- Please note that this meeting is being recorded and will be posted on the NJDEP website after the session concludes.



Overburdened  
Communities &  
Geographic Unit of  
Analysis Comparisons

# Overburdened Community

“**Overburdened community**” means any census block group, as determined in accordance with the most recent United States Census, in which: (1) at least 35 percent of the households qualify as low-income households; (2) at least 40 percent of the residents identify as minority or as members of a State recognized tribal community; or (3) at least 40 percent of the households have limited English proficiency.

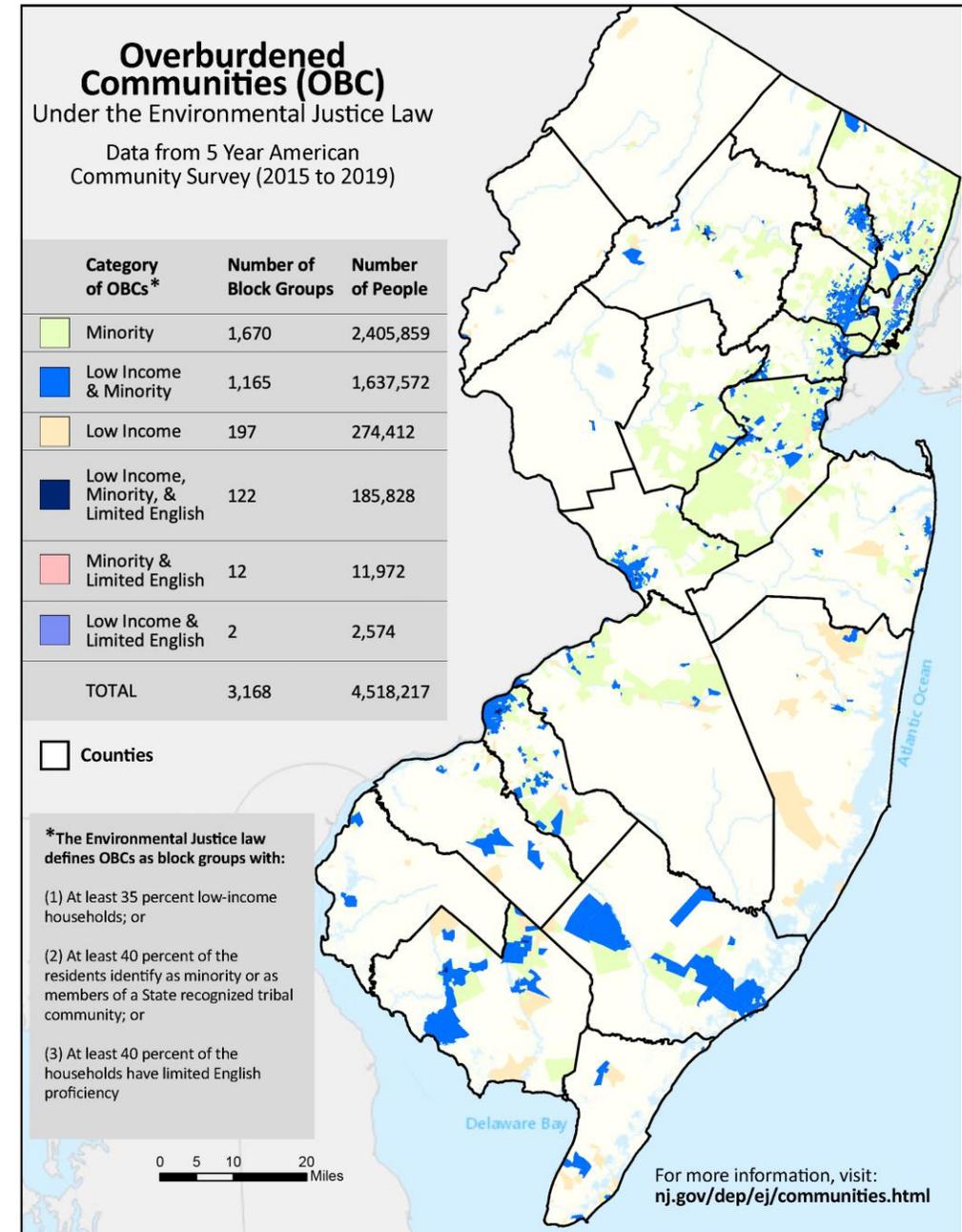


# Definition of Overburdened Community for 2019

5-year American Community Survey Data, 2015-2019

- This is “new” analysis, based on data made available 12/10/2020
- Updated from that used in the in EJ Guidance Document (which was 2018 ACS data for 2014 to 2018)

| Overburdened Community Criteria           | # Block Groups | Population |
|---|----------------|------------|
| Minority                                  | 1,670          | 2,405,859  |
| Low Income and Minority                   | 1,165          | 1,637,572  |
| Low Income                                | 197            | 274,412    |
| Low Income, Minority, and Limited English | 122            | 185,828    |
| Minority and Limited English              | 12             | 11,972     |
| Low Income and Limited English            | 2              | 2,574      |
|   | 3,168          | 4,518,217  |



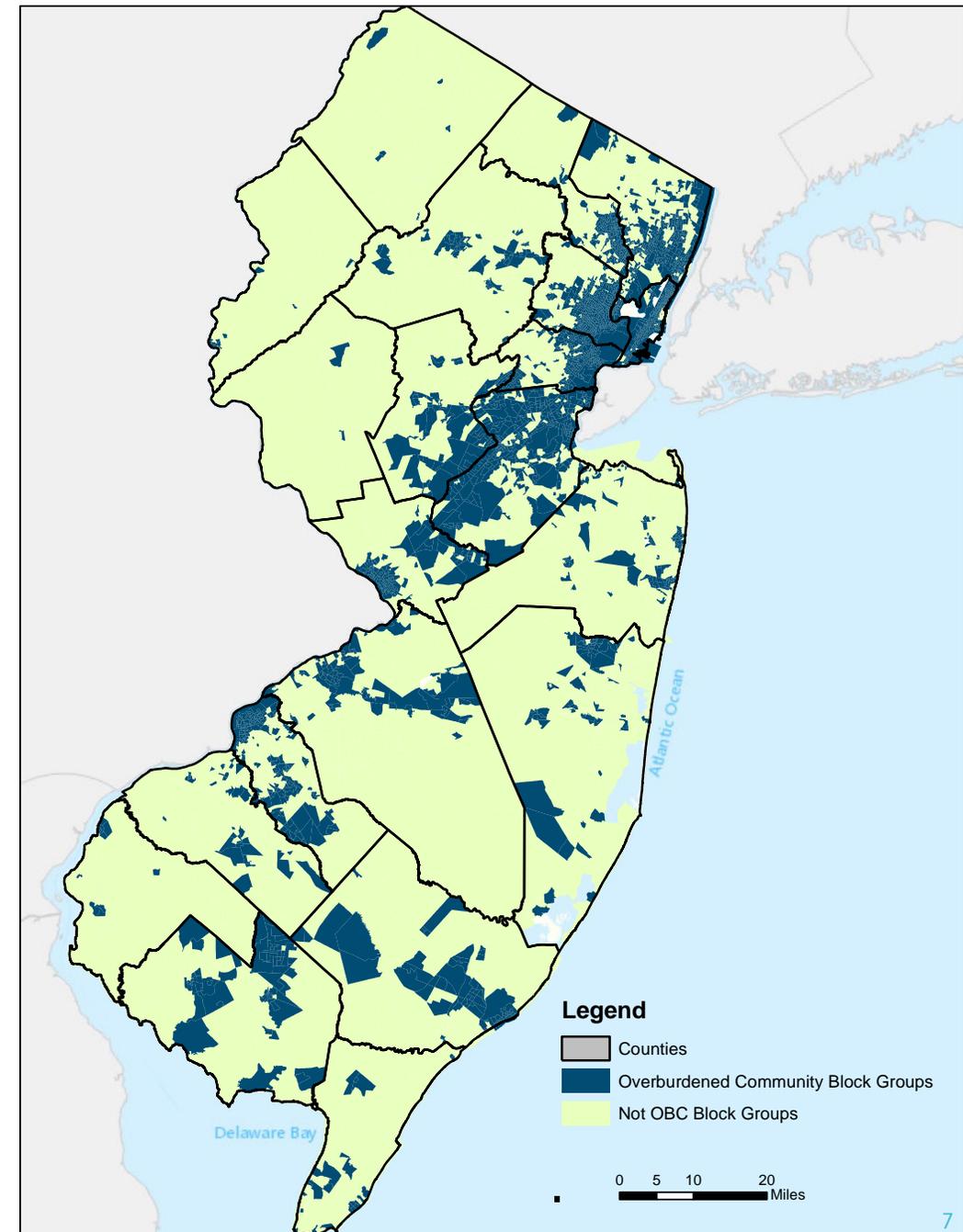
# Overburdened Communities

- Information can be found on the NJDEP Environmental Justice [website](#)
  - Excel Spreadsheet listing Overburdened Communities (OBCs) block groups with town names
  - PDF maps
  - GIS file and simple GIS Tool
- Municipalities were notified
- Webinar to answer questions post-release



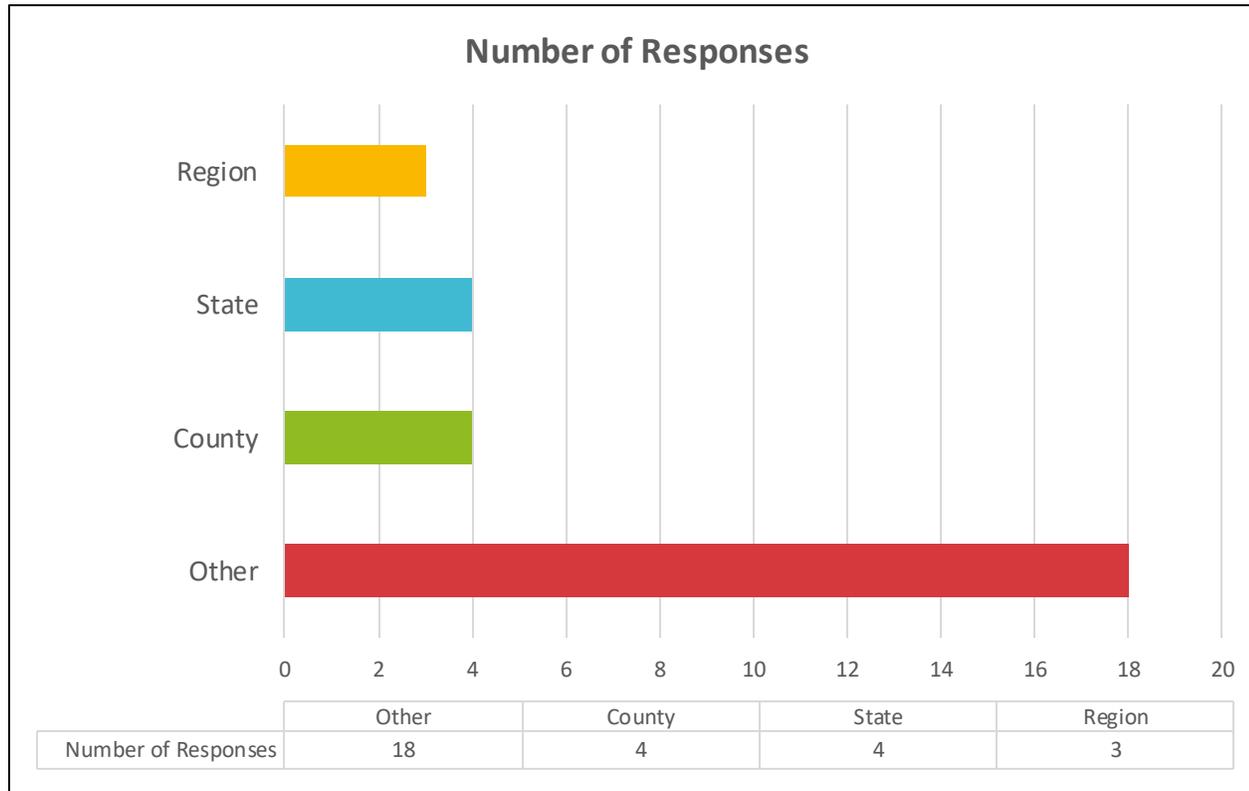
# Geographic Point of Comparison

- From S232 4 c. "...upon a finding that approval of the permit, as proposed, would, together with other environmental or public health stressors affecting the overburdened community, cause or contribute to adverse cumulative environmental or public health stressors in the overburdened community that **are higher than those borne by other communities within the State, county, or other geographic unit of analysis as determined by the department...**"
- What is the appropriate geographic unit?
  - State
  - State Non Overburdened Areas
  - County
  - County Non Overburdened Areas
  - Other areas?



# Geographic Point of Comparison

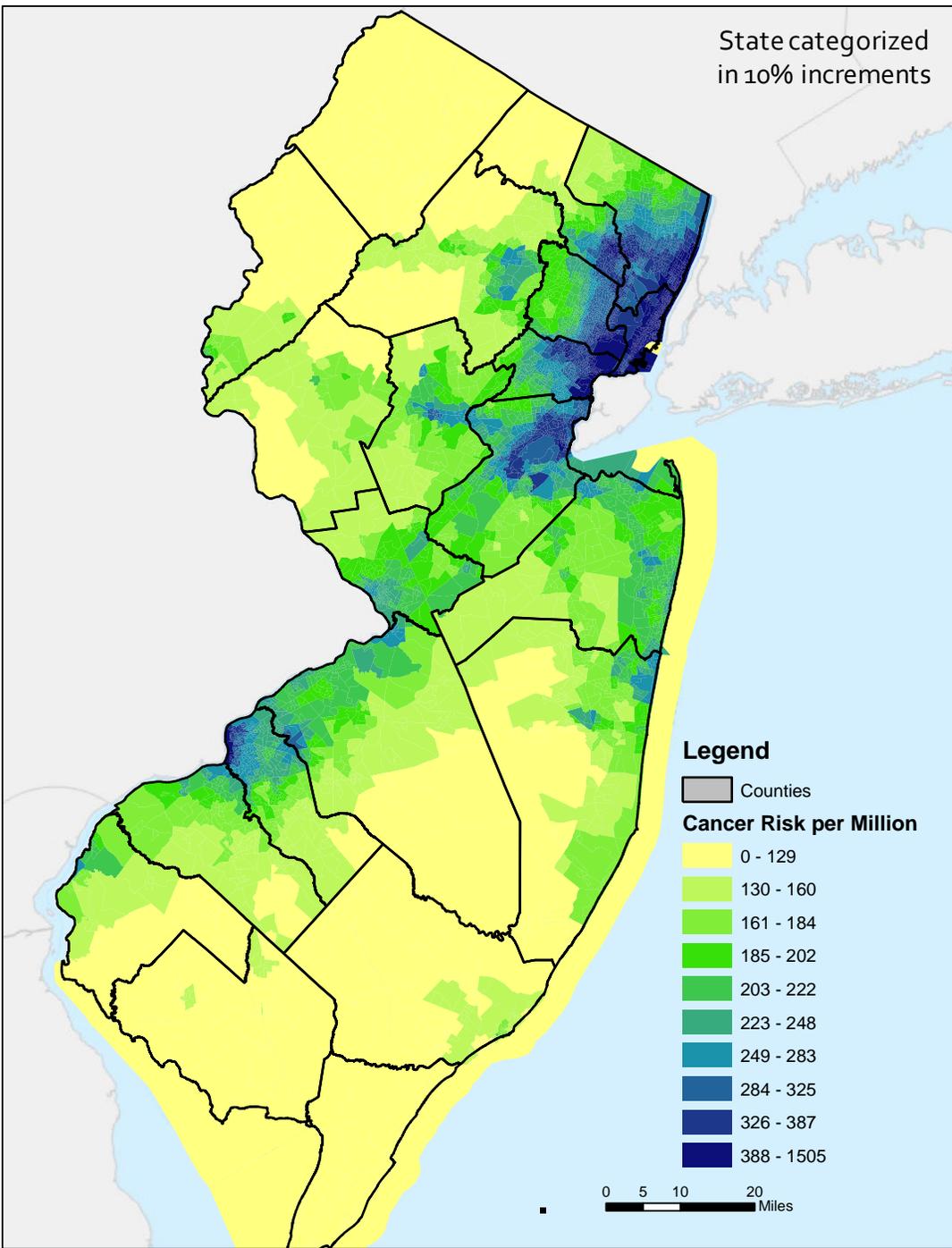
- Comments received to date
  - Question 13: What is the appropriate geographic unit?
  - Answered: 29 Skipped 3



| # Other (please specify) Date |   |
|-------------------------------|---|
| Neighborhood                  | 4 |
| Census Tract                  | 3 |
| Depends                       | 3 |
| Smallest Area                 | 3 |
| OBC                           | 1 |
| Reference Area                | 1 |
| Zip Code and County           | 1 |
| Both State and County         | 1 |
| Block                         | 1 |



State categorized  
in 10% increments



# Example

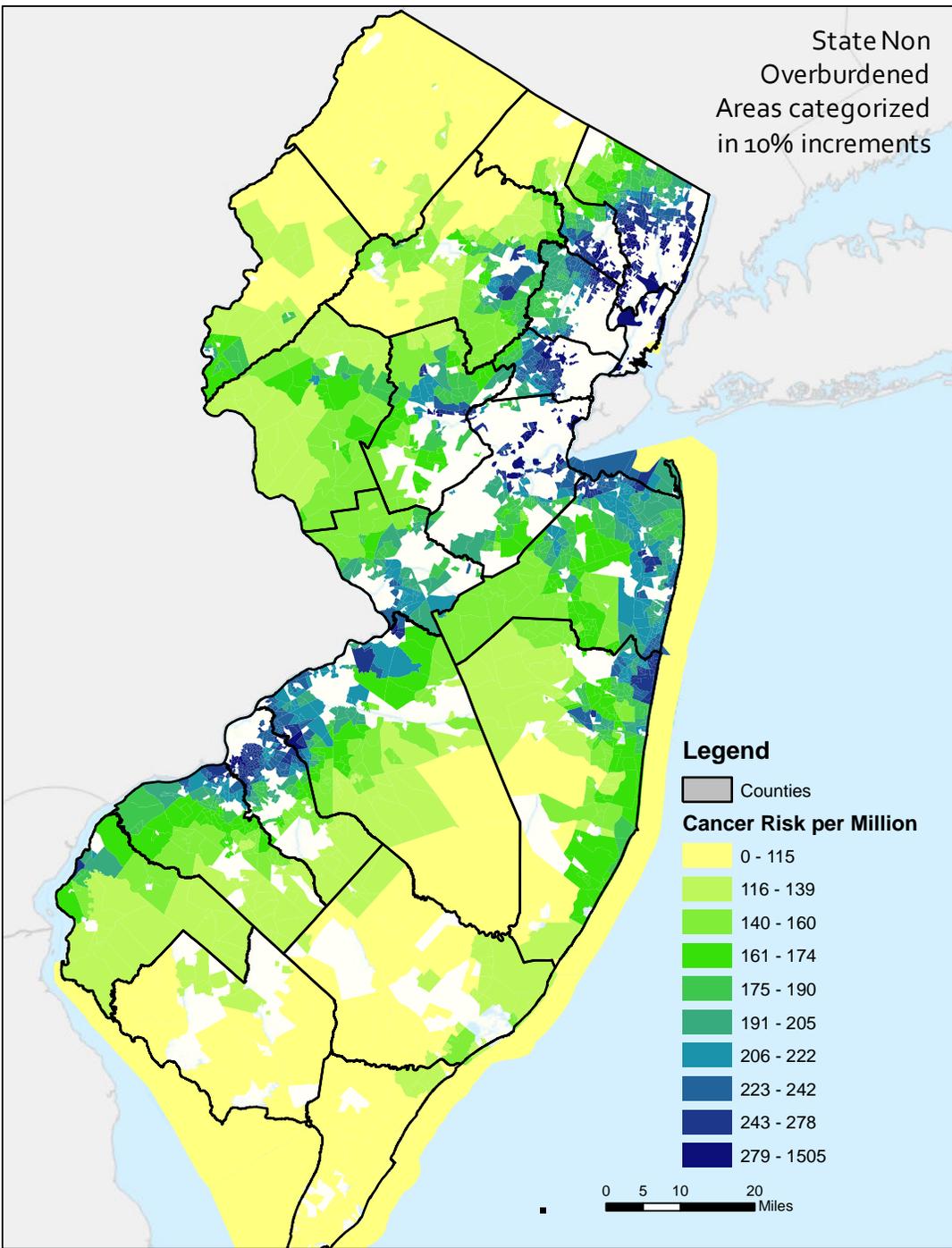
Stressor: USEPA National Scale Air Toxics Assessment (NATA)  
Total Cancer Risk per million  
Geographic Unit: State as a whole

|                             | State |
|-----------------------------|-------|
| <b>Comparison Statistic</b> |       |
| Number of Block Groups      | 6,300 |
| Maximum                     | 1,505 |
| Mean                        | 249   |
| Median 50th Percentile      | 222   |
| 80th Percentile             | 325   |
| 90th Percentile             | 387   |

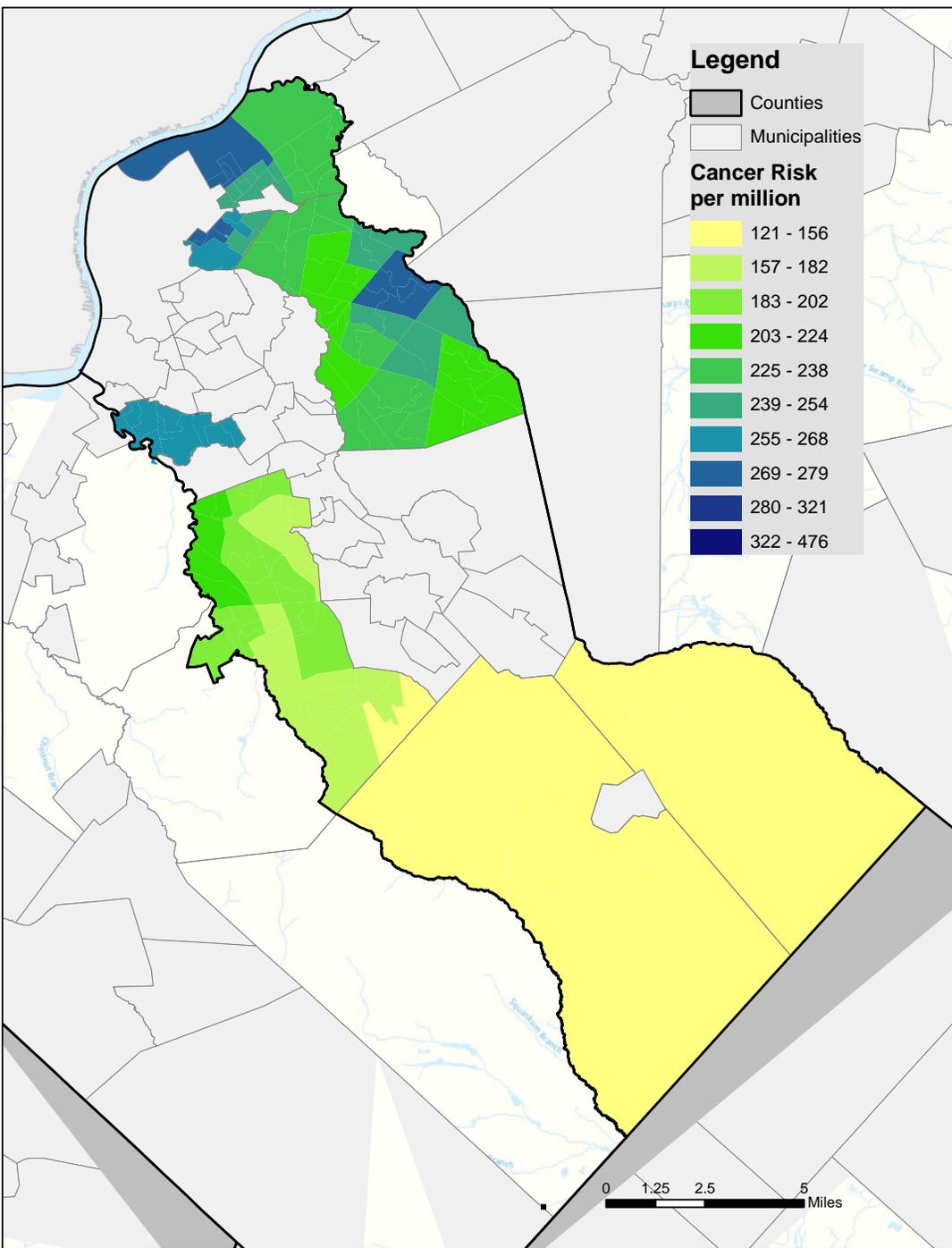
State Non Overburdened Areas categorized in 10% increments

# Example

Stressor: NATA Total Cancer Risk per million  
Geographic Unit: State Non Overburdened Areas



|                             | State | State Area Non Overburdened Community |
|-----------------------------|-------|---------------------------------------|
| <b>Comparison Statistic</b> |       |                                       |
| Number of Block Groups      | 6,300 | 3,154                                 |
| Maximum                     | 1,505 | 1,505                                 |
| Mean                        | 249   | 203                                   |
| Median 50th Percentile      | 222   | 190                                   |
| 80th Percentile             | 325   | 242                                   |
| 90th Percentile             | 387   | 278                                   |



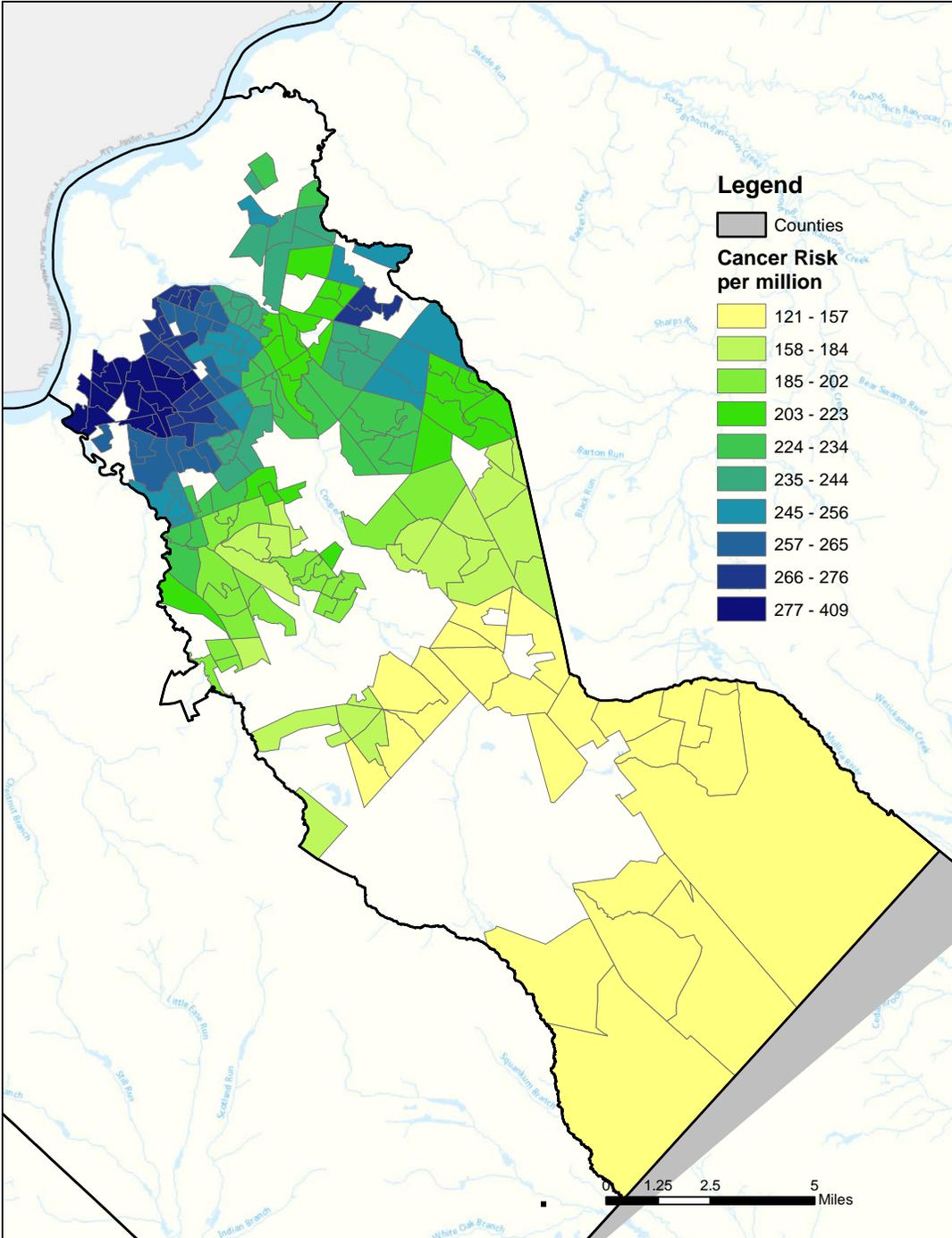
# Example

Stressor: NATA Total Cancer Risk per million  
Geographic Unit: Camden County

|                             | State | State Area Non Overburdened Community | Camden County |
|-----------------------------|-------|---------------------------------------|---------------|
| <b>Comparison Statistic</b> |       |                                       |               |
| Number of Block Groups      | 6,300 | 3,154                                 | 382           |
| Maximum                     | 1,505 | 1,505                                 | 476           |
| Mean                        | 249   | 203                                   | 237           |
| Median 50th Percentile      | 222   | 190                                   | 237           |
| 80th Percentile             | 325   | 242                                   | 279           |
| 90th Percentile             | 387   | 278                                   | 320           |

# Example

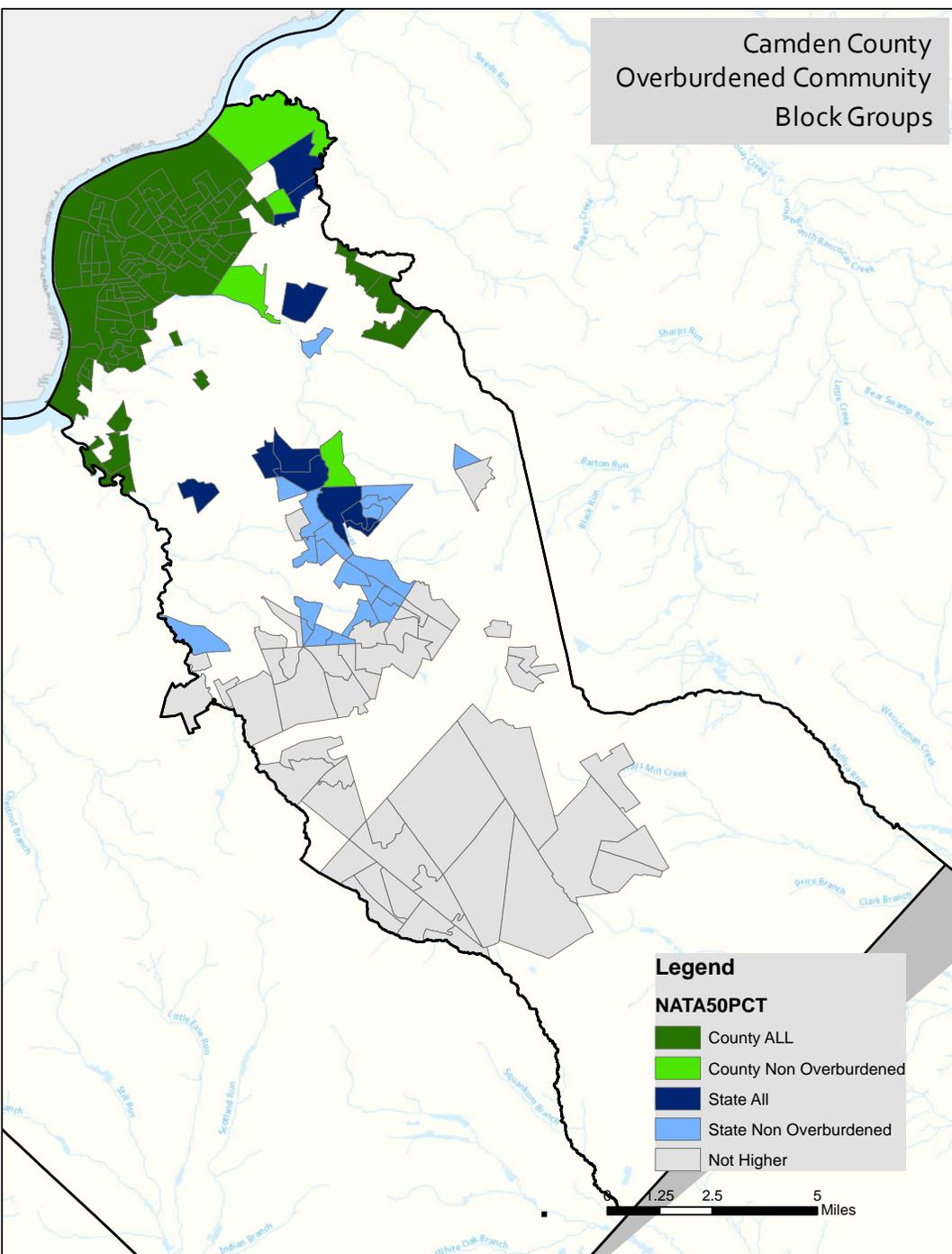
Stressor: NATA Total Cancer Risk per million  
Geographic Unit: Camden County Non Overburdened Areas



|                             | State | State Area Non Overburdened Community | Camden County | Camden County Area Non Overburdened Community |
|-----------------------------|-------|---------------------------------------|---------------|---|
| <b>Comparison Statistic</b> |       |                                       |               |   |
| Number of Block Groups      | 6,300 | 3,154                                 | 382           | 202   |
| Maximum                     | 1,505 | 1,505                                 | 476           | 409   |
| Mean                        | 249   | 203                                   | 237           | 225   |
| Median 50th Percentile      | 222   | 190                                   | 237           | 231   |
| 80th Percentile             | 325   | 242                                   | 279           | 264   |
| 90th Percentile             | 387   | 278                                   | 320           | 276   |

- For 50<sup>th</sup> percentile in Camden County, the State Non OBC area is 190
- For 80<sup>th</sup> percentile in Camden County, the State Non OBC area is 242

Camden County  
Overburdened Community  
Block Groups

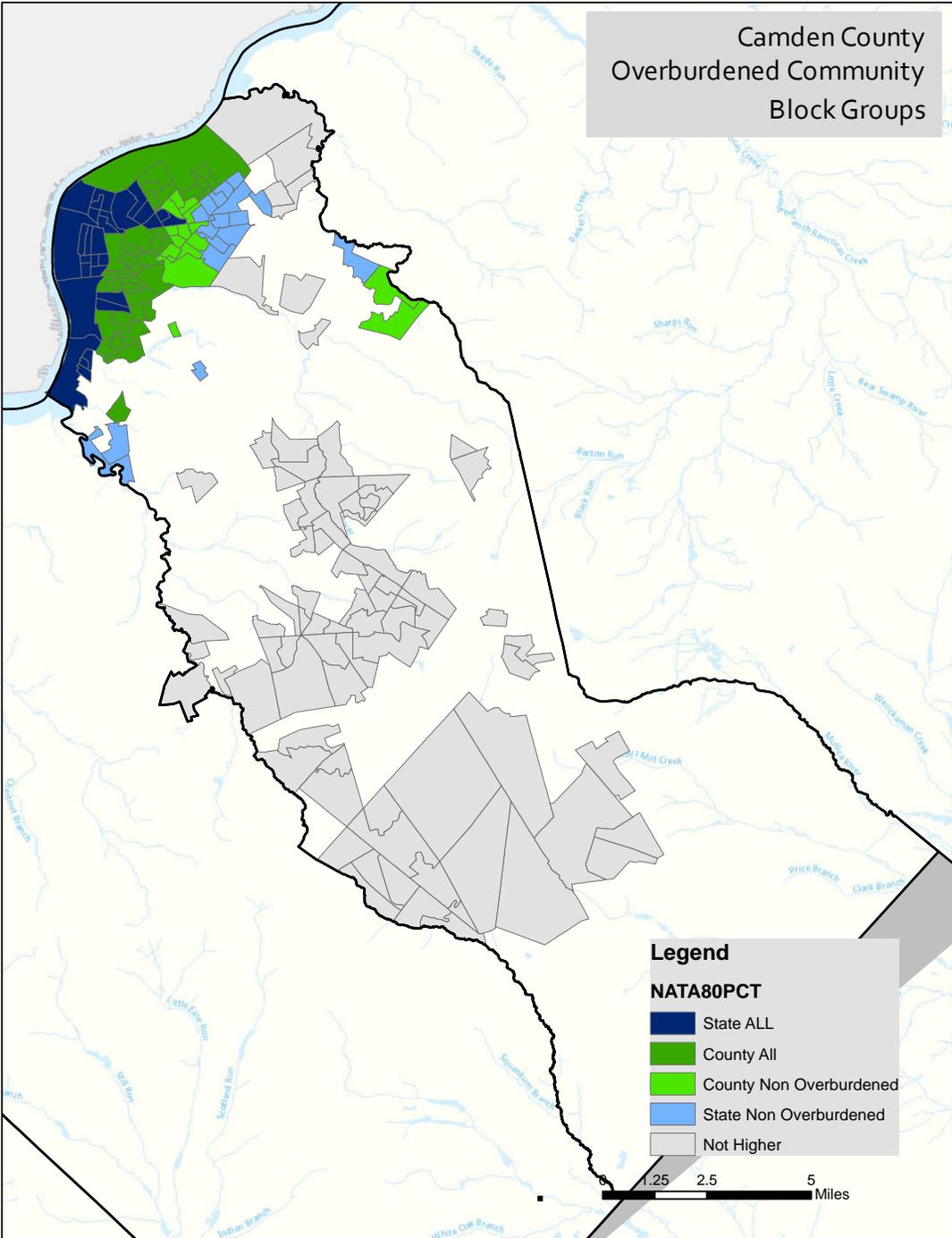


# Hypothetical Comparison: Camden County

- Compare each Overburdened Community block group to different geographic units at **50<sup>th</sup>** percentile
- Use **50<sup>th</sup> percentile** to define 4. c. "higher than those borne by other communities"

| Geographic Analysis Unit | 50th Percentile NATA Cancer Risk | # Block Groups | Population | Combined Block Groups | Combined Population |
|--------------------------|----------------------------------|----------------|------------|-----------------------|---------------------|
| County ALL               | 237                              | 98             | 120,240    | 98                    | 120,240             |
| County Non Overburdened  | 231                              | 4              | 6,798      | 102                   | 127,038             |
| State All                | 222                              | 11             | 14,772     | 113                   | 141,810             |
| State Non Overburdened   | 190                              | 21             | 24,971     | 134                   | 166,781             |
| Not Higher               |                                  | 46             | 73,777     |                       |                     |

Camden County  
Overburdened Community  
Block Groups



# Hypothetical Comparison: Camden County

- Compare each Overburdened Community block group to different geographic units at **80<sup>th</sup>** percentile
- Use **80<sup>th</sup> percentile** to define 4. c. “**higher than those borne by other communities**”

| Geographic Analysis Unit | 80th Percentile NATA Cancer Risk | # Block Groups | Population | Combined Block Groups | Combined Population |
|--------------------------|----------------------------------|----------------|------------|-----------------------|---------------------|
| State ALL                | 325                              | 28             | 33,122     | 28                    | 33,122              |
| County All               | 279                              | 38             | 45,359     | 66                    | 78,481              |
| County Non Overburdened  | 264                              | 15             | 20,218     | 81                    | 98,699              |
| State Non Overburdened   | 242                              | 17             | 21,541     | 98                    | 120,240             |
| Not Higher               |                                  | 82             | 120,318    |                       |                     |

## Compare to State

| StateAllLabel   | Combined Population |
|-----------------|---------------------|
| 80th Percentile | 1,508,766           |
| 75th Percentile | 1,877,106           |
| 70th Percentile | 2,172,207           |
| 65th Percentile | 2,435,240           |
| 60th Percentile | 2,622,203           |
| 55th Percentile | 2,836,049           |
| 50th Percentile | 3,009,537           |
| Not higher than | 1,522,342           |

### Legend

#### NATA state all

- 80th Percentile
- 75th Percentile
- 70th Percentile
- 65th Percentile
- 60th Percentile
- 55th Percentile
- 50th Percentile
- Not higher than

50<sup>th</sup> Percentile Covers 67%  
of OBC Population

0 5 10 20  
Miles

## Compare to County

| NATACountyall   | Combined Population |
|-----------------|---------------------|
| 80th Percentile | 1,118,501           |
| 75th Percentile | 1,379,367           |
| 70th Percentile | 1,676,545           |
| 65th Percentile | 1,945,725           |
| 60th Percentile | 2,219,941           |
| 55th Percentile | 2,453,859           |
| 50th Percentile | 2,683,506           |
| Not higher than | 1,848,373           |

### Legend

#### NATA County all

- 80th Percentile
- 75th Percentile
- 70th Percentile
- 65th Percentile
- 60th Percentile
- 55th Percentile
- 50th Percentile
- Not higher than

50<sup>th</sup> Percentile Covers 60%  
of OBC Population

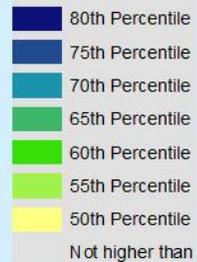
0 5 10 20  
Miles

## Compare to State Non OBC

| StateNonOBC     | Combined Population |
|-----------------|---------------------|
| 80th Percentile | 2,714,345           |
| 75th Percentile | 2,879,690           |
| 70th Percentile | 3,018,201           |
| 65th Percentile | 3,181,537           |
| 60th Percentile | 3,304,157           |
| 55th Percentile | 3,464,038           |
| 50th Percentile | 3,596,813           |
| Not higher than | 935,066             |

### Legend

#### NATA State NON OBC



50<sup>th</sup> Percentile Covers 80%  
of OBC Population

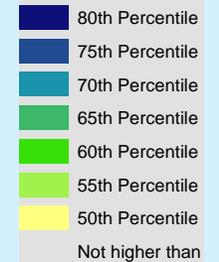


## Compare to County Non OBC

| County NonOBC   | Combined Population |
|-----------------|---------------------|
| 80th Percentile | 2,007,272           |
| 75th Percentile | 2,201,357           |
| 70th Percentile | 2,442,086           |
| 65th Percentile | 2,585,785           |
| 60th Percentile | 2,706,519           |
| 55th Percentile | 2,815,492           |
| 50th Percentile | 2,957,389           |
| Not higher than | 1,574,490           |

### Legend

#### NATA County NonOBC

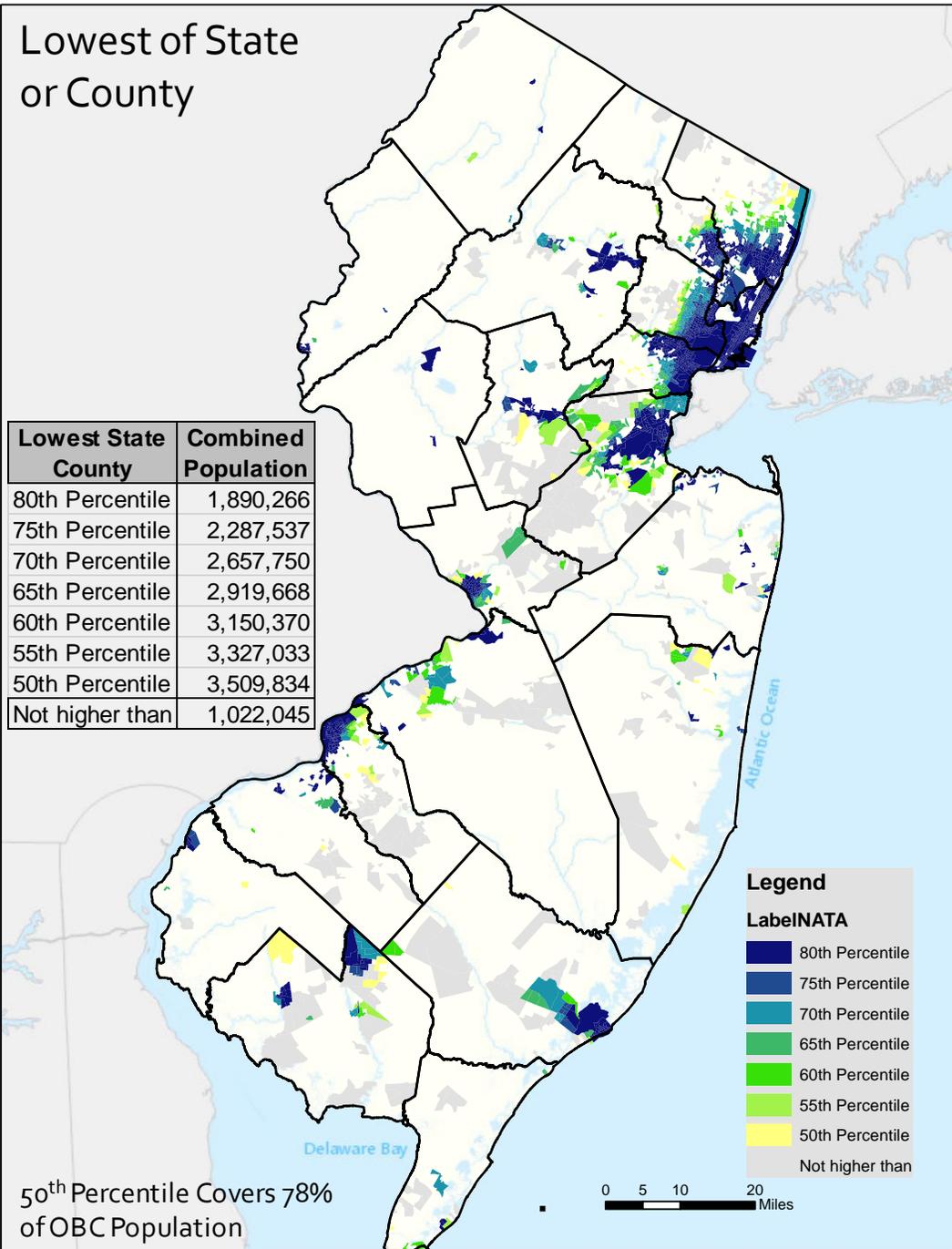


50<sup>th</sup> Percentile Covers 65%  
of OBC Population



# Lowest of State or County

| Lowest State County | Combined Population |
|---------------------|---------------------|
| 80th Percentile     | 1,890,266           |
| 75th Percentile     | 2,287,537           |
| 70th Percentile     | 2,657,750           |
| 65th Percentile     | 2,919,668           |
| 60th Percentile     | 3,150,370           |
| 55th Percentile     | 3,327,033           |
| 50th Percentile     | 3,509,834           |
| Not higher than     | 1,022,045           |

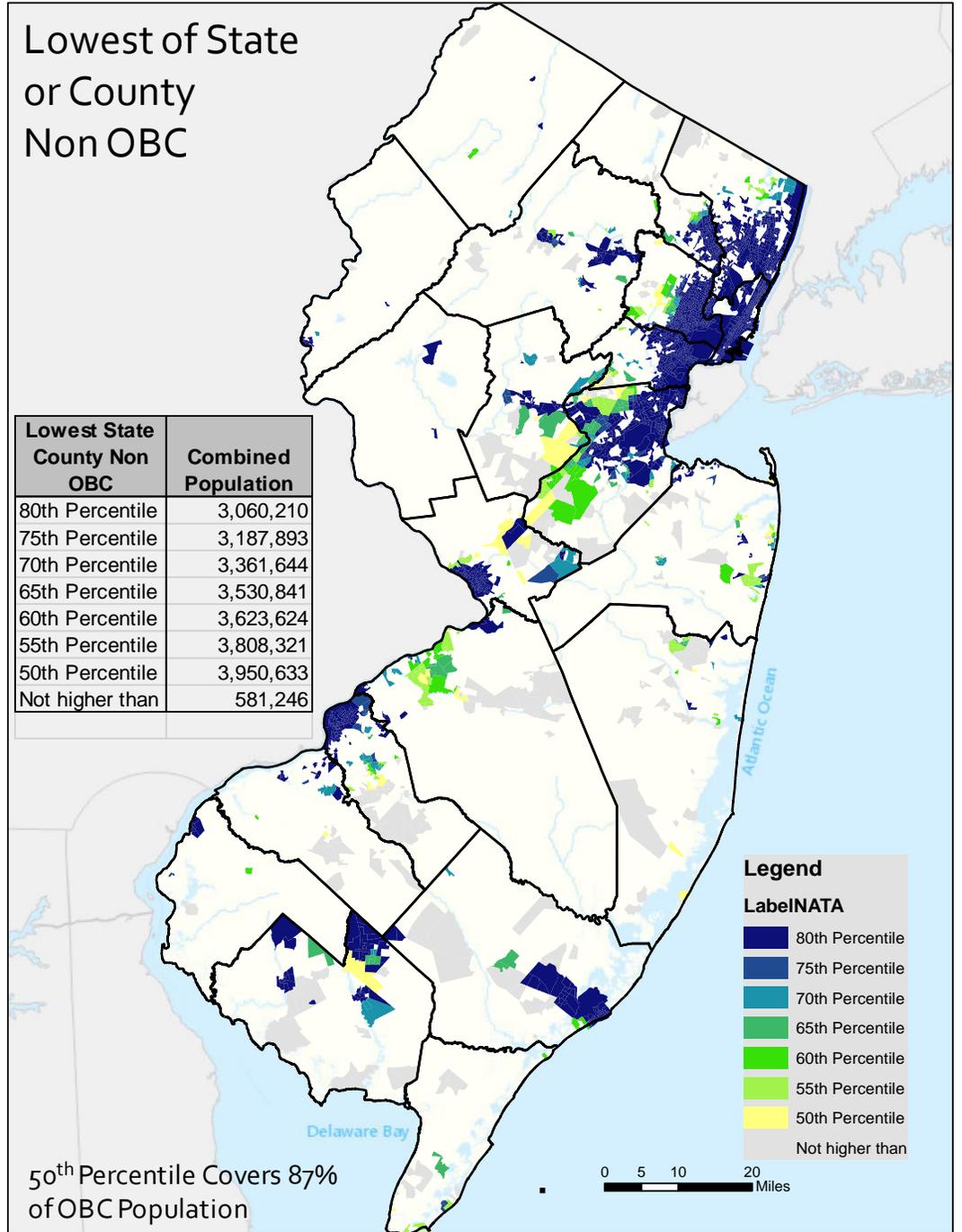


**Legend**  
LabelNATA

- 80th Percentile
- 75th Percentile
- 70th Percentile
- 65th Percentile
- 60th Percentile
- 55th Percentile
- 50th Percentile
- Not higher than

# Lowest of State or County Non OBC

| Lowest State County Non OBC | Combined Population |
|-----------------------------|---------------------|
| 80th Percentile             | 3,060,210           |
| 75th Percentile             | 3,187,893           |
| 70th Percentile             | 3,361,644           |
| 65th Percentile             | 3,530,841           |
| 60th Percentile             | 3,623,624           |
| 55th Percentile             | 3,808,321           |
| 50th Percentile             | 3,950,633           |
| Not higher than             | 581,246             |



**Legend**  
LabelNATA

- 80th Percentile
- 75th Percentile
- 70th Percentile
- 65th Percentile
- 60th Percentile
- 55th Percentile
- 50th Percentile
- Not higher than

# Discussion & Questions

- Questions/clarification on current analysis?
- What other geographic units of analysis should be considered?
- Due to differences in State and County comparisons is it appropriate to combine the comparisons? For example, select the lowest of the State or County comparisons
- What additional analysis should be conducted to assess geographic unit of analysis?



# Facility & Permit Definitions

# Facilities & Permits Covered

- One of eight (8) types of facilities:
  - Major sources of air pollution (e.g., power plants, cogeneration facilities);
  - Resource recovery facilities or incinerators;
  - Large sewage treatment plants (more than 50 million gallons per day);
  - Transfer stations or solid waste facilities;
  - Recycling facilities that receive at least 100 tons of recyclable material per day;
  - Scrap metal facilities;
  - Landfills; or
  - Medical waste incinerators, except those attendant to hospital and universities
- Seeking a specific permit
  - Including solid waste and recycling, development (wetlands, CAFRA, Flood Hazard), water supply and pollution, air pollution and pesticides
- For facilities located or proposed to be located in an “overburdened community”



# Major Source of Air Pollution

Bill defines “**major source**” as “a major source of air pollution as defined by the federal “Clean Air Act,” 42 U.S.C. § 7401 et seq., or in rules and regulations adopted by the department pursuant to the “Air Pollution Control Act,” P.L.1954, c.212 (C.26:2C-1 et seq.) or which directly emits, or has the potential to emit, one hundred tons per year or more of any air pollutant, or other applicable criteria set forth in the federal “Clean Air Act,” 42 U.S.C. § 7401 et seq.



# Major Source of Air Pollution

- Incorporate definitions of “major source” and “major facility” from the Air Pollution Control Act Rules and associated pollutants/thresholds

| <u>Air Contaminant</u>                                      | <u>Threshold Level (per year)</u> |
|---|-----------------------------------|
| Carbon Monoxide (CO)  | 100 tons                          |
| Particulate Matter 10 microns or less (PM <sub>10</sub> )   | 100 tons                          |
| Particulate Matter 2.5 microns or less (PM <sub>2.5</sub> ) | 100 tons                          |
| Total Suspended Particles (TSP)                             | 100 tons                          |
| Sulfur Dioxide (SO <sub>2</sub> )                           | 100 tons                          |
| SO <sub>2</sub> (as a PM <sub>2.5</sub> precursor)          | 100 tons                          |
| Nitrogen Oxides (NO <sub>x</sub> )                          | 25 tons                           |
| NO <sub>x</sub> (as a PM <sub>2.5</sub> precursor)          | 100 tons                          |
| Volatile Organic Compounds (VOCs)                           | 25 tons                           |
| Lead  | 10 tons                           |
| Any Hazardous Air Pollutant (HAP)                           | 10 tons                           |
| All HAPs, collectively                                      | 25 tons                           |
| Any other air contaminant, except Carbon Dioxide            | 100 tons                          |



# Major Source of Air Pollution

- What concerns, if any, are raised by this approach?



# Solid Waste Facilities

- Define group of solid waste facilities subject to the requirements of the bill as the same are defined in the Department's Solid Waste Rules, N.J.A.C. 7:26 or, where applicable, Air Pollution Control Act Rules, N.J.A.C. 7:27, with incorporation of the corresponding regulatory thresholds
- Include general definition of Solid Waste Facility (N.J.A.C. 7:26-1.4)
  - Any system, site, equipment or building which is utilized for the storage, collection, processing, transfer, transportation, separation, recycling, recovering or disposal of solid waste



# Incinerator

- Defined in both the Solid Waste and Air Pollution Control Act Rules (e.g. N.J.A.C. 7:26-1, 7:27-11.1, 7:27-16.1, 2.1, 6.1, 8.1, 19.1)
- Generally characterized to include:
  - A structure, device or equipment use for
  - The reduction, destruction or salvage or
  - Any material or substance
  - By combustion or pyrolysis
- Excludes:
  - Control technology on manufacturing equipment (“thermal or catalytic oxidizers used as control apparatus on manufacturing equipment”)
  - Incinerator used to obtain energy shall be classified as a resource recovery facility
- Definitions expressly include: solid waste, garbage, debris, human or animal remains
- Expanded to include:
  - Sludge (as defined at N.J.A.C. 7:26.1.4)
  - Medical/infectious waste (as defined at N.J.A.C. 7:27-27.1, excluding those attendance to hospitals/universities)



# Resource Recovery Facility

- Defined in both Solid Waste and Air Pollution Control Act Rules (e.g. N.J.A.C. 7:26-14A.4, N.J.A.C. 7:26-1.4, N.J.A.C. 7:26H-1.4, N.J.A.C. 7:27-10.1)
- Generally characterized to include:
  - Facility used for
  - Processing, incineration or other means of separation of solid waste or recycling
  - For reuse, energy production or material recovery



# Transfer Station or Other Solid Waste Facility

- Defined in the Solid Waste Rules (N.J.A.C. 7:26-1.4)
- Solid waste facility where:
  - Solid waste is transferred from one vehicle to another, including rail car, for offsite transportation
  - Certain liquid waste is received, stored, treated or transferred
- Excludes:
  - Solid waste facility at which only site-generated solid waste is received for onsite transfer and processing or disposal utilizing facility-owned or operated equipment and vehicles



# Recycling Facilities (over 100 tons/day)

- Defined in the Recycling Rules as “recycling centers” (N.J.A.C. 7:26-1.4)
- Includes:
  - Class B recycling facilities: waste concrete, asphalt, brick, block, asphalt-based roofing scrap and wood waste; waste materials other than metal, glass, paper, plastic containers, corrugated and other cardboard resulting from construction, remodeling, repair and demolition operations on houses, commercial buildings, pavements and other structures; whole trees, tree trunks, tree parts, tree stumps, brush and leaves (not composted); scrap tires; and petroleum-contaminated soil
  - Class C recycling facilities: food waste; biodegradable plastic; yard trimmings, including any biodegradable paper bags in which the yard trimmings are collected; separated biomass; and lakeweed generated from the cleaning of aquatic flora from freshwater lakes
  - Class D recycling facilities: used oil (including but not limited to used lubricant oil; used coolant oil; used emulsion oil; and other used synthetic oil or used oil refined from crude oil; antifreeze; latex paints; light bulbs; oil-based finishes; batteries; mercury-containing equipment; and consumer electronics
- Excludes:
  - Class A recycling facilities: metal, glass, paper, plastic containers, and corrugated and other cardboard (statutory exemption)



# Landfill

- Defined in the Solid Waste Rules as “sanitary landfill” (N.J.A.C. 7:26-1.4)
- Solid waste facility where:
  - Solid waste is deposited on or into the land as fill
  - For the purpose of permanent disposal or storage
  - For a period of time exceeding six months
- Excludes:
  - Facilities for the disposal of hazardous waste
  - However:
    - Hazardous waste landfills, as well as all hazardous waste disposal units, are regulated under the hazardous waste regulations at NJAC 7:26G (these regulations are incorporated by reference from the federal RCRA rules).



# Sewage Treatment Plant (more than 50M gallons/day)

- Department regulations do not specifically define “sewage treatment plant”
- Possible approach: Integrate definition of “treatment works” from NJPDES Rules (N.J.A.C. 7:14A-1.2)
  - “Treatment works” means any device or system whether public or private, used in the storage, treatment, recycling, or reclamation of municipal or industrial waste of a liquid nature
  - Includes any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of pollutants, including stormwater runoff, or industrial waste in combined or separate stormwater and sanitary sewer systems
  - Regulated under NJPDES Rules, N.J.A.C. 7:14A, Water Pollution Control Act Rules,



# Sludge Processing Facility, Combustor, or Incinerator

- Sludge Processing Facility not defined in any existing Department statute or regulation
- Possible approach:
  - Adopt definition of “sludge” from Solid Waste Rules (N.J.A.C. 7:26.1.4):
    - Any solid, semi-solid or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant or air pollution control facility exclusive of the treated effluent from a wastewater treatment plant
  - Include necessary cross-references to address existing disposal methods (landfill, incineration, sewage treatment works)
  - Consider whether creation of additional definition to address processing methods not otherwise covered by existing regulations
    - Example: Preparation for land application



# Scrap Metal Facility

- Department does not currently regulate the operation of or otherwise define “scrap metal facilities” under Solid Waste Rules
- Department presently regulates a “scrap metal shredding facility” under the Solid Waste Rules (N.J.A.C. 7:26-1.4):
  - Industrial facility that receives and stores motor vehicles, appliances, other source separated, non-putrescible ferrous and non-ferrous metals;
  - Reduces those materials through mechanical shredding, and
  - Transfers those materials for economic reuse
- Certain Scrap Metal Facilities are permitted under NJPDES



# Covered Permits

- **Air Quality, Energy & Sustainability Permits**
  - N.J.S.A. 26:2C-1 (Air Pollution Control Act)
- **Solid Waste Permits**
  - N.J.S.A. 13:1E-1, 13:1E-26 (Solid Waste Management Act)
  - N.J.S.A. 13:1E-99.11 (New Jersey Statewide Mandatory Source Separation and Recycling Act)
- **Water Resources Management Permits**
  - N.J.S.A. 58:1A-1, 58:4A-5 (Water Supply Management Act)
  - N.J.S.A. 58:10A-1, 58:10A-21 (Water Pollution Control Act)
- **Watershed & Land Management Permits**
  - N.J.S.A. 12:5-1 (Waterfront Development)
  - N.J.S.A. 13:1D-29 (Construction Permits)
  - N.J.S.A. 13:9B-1 (Freshwater Wetlands Protection Act)
  - N.J.S.A. 13:19-1 (Coastal Area Facility Review Act)
  - N.J.S.A. 13:20-1 (Highlands Water Protection and Planning Act)
  - N.J.S.A. 58:16A-50 (Flood Hazard Control Act)
  - N.J.S.A. 13:9A-1 (The Wetlands Act of 1970)
- **Other Permits**
  - N.J.S.A. 13:1F-1 (Pesticide Control Act of 1971)
  - N.J.S.A. 13:1E-48.1, 13:1E-99.21a (Comprehensive Regulated Medical Waste Management Act)



# For Discussion

- Define permits in accordance with above-referenced statutory and regulatory definitions and apply EJ-specific regulatory criteria where a permit is otherwise required for a facility.



# Air Pollution Control Permits

- **Air Pollution Control Act (N.J.S.A. 26:2C-1)**
  - Implemented through the Department's Air Pollution Control rules, N.J.A.C. 7:27
  - Governs emitting of and such activities as result of introducing of contaminants into the ambient atmosphere
  - Facilities Covered: Major Sources of Air Pollution



# Solid Waste Permits

- **Solid Waste Management Act (N.J.S.A. 13:1E-1, 13:1E-26)**
  - Implemented through the Solid Waste rules, N.J.A.C. 7:26
  - Governs, among other areas, the registration, operation, maintenance, and closure of sanitary landfills and other solid waste facilities; registration, operation, and maintenance of solid waste transporting operations and facilities
  - Facilities Covered: Solid waste facilities, including resource recovery facilities, transfer stations, landfills, incinerators
- **New Jersey Statewide Mandatory Source Separation and Recycling Act (N.J.S.A. 13:1E-99.11)**
  - Implemented through the Department's Recycling Rules, N.J.A.C. 7:26A
  - Governs the operation of recycling centers and the conduct of recyclable materials generators and transporters, and of governing municipalities and counties that have jurisdiction over recyclable materials; also governs electronic waste recycling
  - Facilities Covered: Recycling centers intending to receive more than 100 ton of material per year



# Water Resources Management Permits

- **Water Supply Management Act (N.J.S.A. 58:1A-1, 58:4A-5)**
  - Implemented through Water Supply Management Act Rules, N.J.A.C. 7:19-6.1
  - Governs water allocation process
  - Facilities Covered: Water Supply Wells
- **Water Pollution Control Act (N.J.S.A. 58:10A-1, 58:10A-21)**
  - Implemented in part by the Department's New Jersey Pollution Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A
  - Governs the discharge of pollutants to the surface and ground waters of the State
  - Facilities Covered: Treatment works



# Watershed & Land Management Permits

- **Waterfront Development Act (N.J.S.A. 12:5-1), Coastal Area Facility Review Act (N.J.S.A. 13:19-1), The Wetlands Act of 1970 (N.J.S.A. 13:9A-1)**
  - Implemented together through the Department's Coastal Zone Management Rules, N.J.A.C. 7:7
  - Governs activities in the State's "coastal zone" encompassing tidal and non-tidal waters, tidal wetlands, waterfronts and inland areas
  - Generally: Hudson River south Cape May Point; North to Trenton.
  - Portions of Middlesex, Monmouth, Ocean, Burlington, Atlantic, Cape May, Gloucester, Camden, Mercer, Somerset, Union, Hudson, Essex, Passaic, Bergen, Cumberland and Salem Counties and the Meadowlands District
- **Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1)**
  - Governs activities in freshwater wetlands and "transition areas," i.e., buffers adjacent to wetlands



# Watershed & Land Management Permits

- **Highlands Water Protection and Planning Act (N.J.S.A. 13:20-1)**
  - Implemented through the Highlands Rules, N.J.A.C. 7:38
  - Department issues Highlands Preservation Area Approvals for activities constituting major Highlands development proposed in the Preservation Area
  - Preservation Area – 398,000 acres of exceptional resource value areas in Bergen, Hunterdon, Morris, Passaic, Somerset, Sussex, Warren Counties
  - Facilities Covered: Potentially all
- **Flood Hazard Area Control Act (N.J.S.A. 58:16A-50)**
  - Implemented through the Flood Hazard Area Control Act Rules, N.J.A.C. 7:13
  - Applies stringent standards for development in areas near streams and tidal waters
  - Facilities Covered: Potentially all



# Other Permits

- **Pesticide Control Act of 1971 (N.J.S.A. 13:1F-1)**
  - Implemented through Pesticide Regulations, N.J.A.C. 7:30
  - Governs the manufacturing, labeling, registration, and classification of pesticides, the registration of pesticide dealers and pesticide dealer businesses, the registration of applicators of pesticides, the use of Integrated Pest Management (IPM) in schools, and the distribution, use, application, storage, handling, transportation, and disposal of pesticides
  - Facilities Covered: Unclear
- **Comprehensive Regulated Medical Waste Management Act (N.J.S.A. 13:1E-48.1, 13:1E-99.21a)**
  - Implemented in part by Solid Waste Rules, N.J.A.C. 7:26
  - Governs the handling and disposal of regulated medical waste
  - Facilities Covered: Medical Waste Incinerators



# Q&A

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