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ADOPTIONS SECTION

ENVIRONMENTAL PROTECTION

SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM

Notice of Readoption

Solid Waste Rules

Readoption: N.J.A.C. 7:26

Authority: N.J.S.A. 13:1B-3, 13:1D-1 et seq., 13:1D-125 et seq., 13:1E-1 et seq., 13:1E-9, 26:2C-1 et seq., 47:1A-1 et seq., 58:10-23.11, and 58:10A-1 et seq.

Authorized By: Bob Martin, Commissioner, Department of Environmental Protection.

Effective Date: September 16, 2016.

New Expiration Date: September 16, 2023.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the Solid Waste Rules at N.J.A.C. 7:26 were scheduled to expire on October 20, 2016. The Department of Environmental Protection (Department) has reviewed these rules and has determined that the rules should be readopted because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1.c(1), timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.

N.J.A.C. 7:26 establishes rules for the management of solid waste. The rules govern the following activities: the registration, permitting, design, operation, maintenance and closure of solid waste facilities; the registration, operation, and maintenance of solid waste transporters and transportation vehicles; fees charged for services provided by the Department to solid waste

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facilities and transporters; civil administrative penalty assessments and requests for adjudicatory hearings; district solid waste management planning; the implementation of various statutory loan programs; the licensing and integrity review of persons participating in the solid and hazardous waste industry (also known as A901); and the availability and confidentiality of information received by the Department in administering the solid waste program.

There is a pending rulemaking to amend this chapter as it pertains to sanitary landfills to codify and implement the provisions of the Legacy Landfill Law, N.J.S.A. 13:1E-125.1 et seq., which became effective on June 26, 2013. See 48 N.J.R. 1526(a). The rulemaking also addresses sanitary landfill post-closure requirements. Any further action on those proposed amendments would be the subject of a separate notice in the New Jersey Register.