

THIS IS A COURTESY COPY OF THIS NOTICE. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE JUNE 19, 2023, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE NOTICE, THE OFFICIAL VERSION WILL GOVERN.

ENVIRONMENTAL PROTECTION

SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM

Notice of Readoption

Solid Waste Rules

Readoption with a Technical Change: 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: Shawn M. LaTourette, Commissioner, Department of Environmental Protection.

Effective Dates: May 22, 2023, Readoption;
June 19, 2023, Technical Change.

New Expiration Date: May 22, 2030.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the Solid Waste Rules at N.J.A.C. 7:26 are readopted and shall continue in effect for a seven-year period. The rules were scheduled to expire on Saturday, September 16, 2023. The Department of Environmental Protection (Department) has reviewed the 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

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transportation vehicles; fees charged for services provided by the Department to solid waste 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.

The Department discovered an error at N.J.A.C. 7:26-6.11(b)3, where the referenced paragraph incorrectly cross-references N.J.A.C. 7:26A-1.4(a)14 to refer to recycling facilities for Class C materials. N.J.A.C. 7:26A-1.4(a)14 is a universal waste exemption, not a Class C materials exemption. The correct cross-reference is N.J.A.C. 7:26A-1.4(a)13, which is for recycling facilities for Class C materials. Therefore, the Department is correcting N.J.A.C. 7:26-6.11(b)3 to include the appropriate cross-reference.

Full text of the technical change follows (addition indicated in boldface **thus**; deletion indicated in brackets [thus]):

SUBCHAPTER 6. SOLID WASTE PLANNING REGULATIONS.

7:26-6.11 Administrative actions concerning a district solid waste management plan

(a) (No change.)

(b) For the purposes of this section, a solid waste management plan administrative action includes, but is not limited to, the following:

1. – 2. (No change.)

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3. The inclusion of new recycling facilities for processing Class A or Class C recyclable materials (as identified at N.J.A.C. 7:26A-[1.4(a)14]**1.4(a)13**), or replacement units at existing regulated medical waste facilities;

i. – ii. (No change.)

4. – 14. (No change.)

(c) – (f) (No change.)