

General Disclaimer for this Presentation:

The information within this presentation is intended to facilitate discussions on various existing and potential regulatory mechanisms. No final decision regarding this information is expressed or implied.



Stakeholder Meeting for P.L. 2019, c.397 (Dirty Dirt Law)

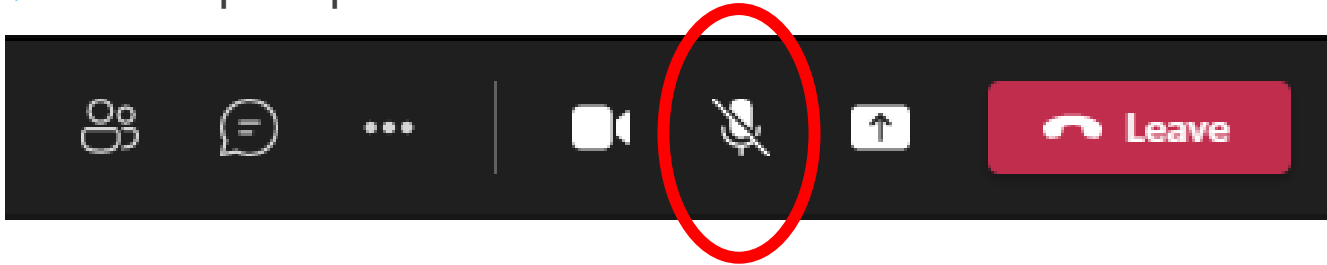
Today's Focus:

- Broker/Consultant/Salesperson
- Discussion of business entities that may or may not fall under the scope of this Law

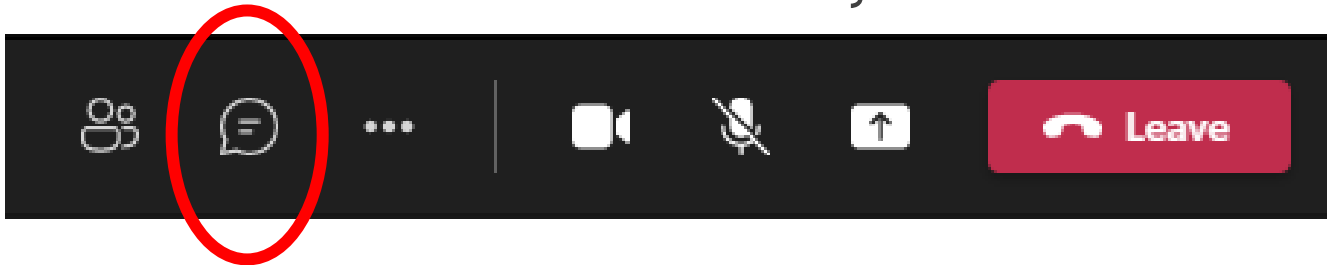
March 1, 2022

Meeting Etiquette Guidelines

- ▶ Please be sure that your microphone is muted
 - ▶ unless prompted to unmute for comments



- ▶ The chat feature will be used to only address technical meeting issues



- ▶ Should you wish to speak, raise your hand and wait to be called

- ▶ Seek feedback
- ▶ Input, recommendations, suggestions
- ▶ Encourage compliance with the Dirty Dirt Law
- ▶ Develop a rule that accomplishes legislative intent with clear and practical regulatory standards

Goals of this Meeting (and beyond!)

1

Please raise your hand and wait to be called upon.

2

Please remain muted until called upon.

3

REMINDER:
Please do NOT use the chat function for your comments.

A-901 Law Amendment

▶ The A-901 Law (Then):

- ▶ The definition of “broker,” was not included in the original A-901 statute, however, was included in NJDEP rules
- ▶ “Consultant” and “sales person” were not defined prior to this amendment

▶ The A-901 Law (Now):

- ▶ “broker,” “consultant,” and “sales person,” are now defined with this amendment in the A-901 statute

Broker

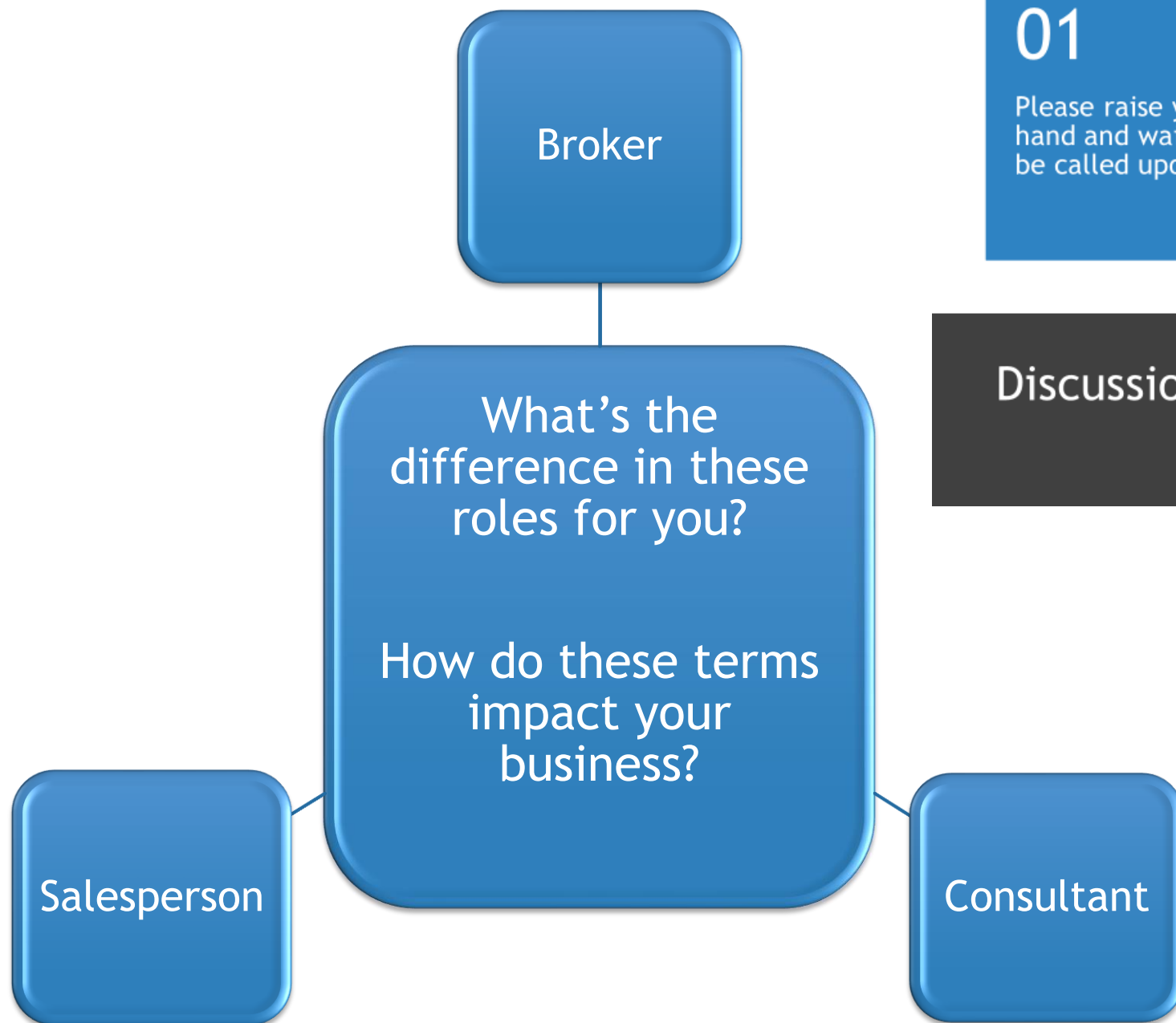
- Receives direct or indirect compensation
- Arranges agreements between business concern and customers

Consultant

- Performs functions for a business concern
- Shall not include person who performs functions for a business concern and holds a professional license from the State in order to perform those functions

Salesperson

- Person(s) that makes or arranges for sales for a business concern



01

Please raise your hand and wait to be called upon.

02

Please remain muted until called upon.

03

REMINDER: Please do NOT use the chat function for your comments.

Discussion

Back to basics



The Law provides several definitions. It is these definitions that will allow individuals to determine if their business would be regulated by the Law.



For the next part of the meeting the DEP wants to get back to basics to discuss the various components of the Law to determine stakeholder thoughts on who is or is not regulated under this Law.



The Department would like you to set aside the FAQs and focus on what the Law states.

Definition of Soil and Fill Recyclable Materials

- ▶ Soil and fill recyclable materials means non-putrescible aggregate substitute, including but not limited to, broken or crushed brick, block, concrete, or other similar manufactured materials; soil or soil that may contain aggregate substitute or other debris or material, generated from land clearing, excavation, demolition, or redevelopment activities that would otherwise be managed as solid waste, and that may be returned to the economic mainstream in the form of raw materials for further processing or for use as fill material

What is Exempt:

Class A recyclable material

Class B recyclable material

- shipped to a Class B recycling center approved by NJDEP for receipt, storage, processing, or transfer

Beneficial use material

- generator obtained prior approval from NJDEP to transport to an approved and designated destination

Virgin quarry material

- Virgin quarry products including, but not limited to, rock, stone, gravel, sand, clay and other mined products

Back to Basics

What services and materials do you feel are not regulated under this law?

What is your understanding of what is soil, specifically soil or soil and fill recyclable materials?

What is your understanding of what are soil and fill recycling services?



What is your understanding of the types of soil and fill recyclable materials that are subject to the law?

Closing Remarks

- ▶ **Thank you for your input!**
 - ❖ Summaries of the topics covered at the meeting and relevant information will be made available following the meetings at <https://www.nj.gov/dep/workgroups/index.html>
- ▶ Next Stakeholder meeting-
April 2022
- ▶ Please direct any additional feedback via email to: soilandfill@dep.nj.gov

