

ASSEMBLY, No. 3541

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED DECEMBER 15, 2008

Sponsored by:

Assemblyman MICHAEL J. DOHERTY

District 23 (Warren and Hunterdon)

Assemblyman JOHN F. MCKEON

District 27 (Essex)

SYNOPSIS

Extends deadline for municipal certified recycling coordinator requirements.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning municipal recycling coordinators, and
2 amending P.L.1987, c.102.

3

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

6

7 1. Section 6 of P.L.1987, c.102 (C.13:1E-99.16) is amended to
8 read as follows:

9 6. Each municipality in this State shall, **[within 24 months of**
10 **the effective date of P.L.2007, c.311 (C.13:1E-96.2 et al.)]** by
11 January 13, 2013, designate one or more persons as the municipal
12 certified recycling coordinator. For the purposes of this section,
13 "municipal certified recycling coordinator" means a person who
14 shall have completed the requirements of a course of instruction in
15 various aspects of recycling program management, as determined
16 and administered by the department.

17 Each municipality shall establish and implement a municipal
18 recycling program in accordance with the following requirements:

19 a. **[(1)]** Each municipality shall provide for a collection system
20 for the recycling of the recyclable materials designated in the
21 district recycling plan as may be necessary to achieve the
22 designated recovery targets set forth in the plan in those instances
23 where a recycling collection system is not otherwise provided for
24 by the generator or by the county, interlocal service agreement or
25 joint service program, or other private or public recycling program
26 operator.

27 **[(2)]** Each municipality shall provide for collection sites for the
28 delivery of used televisions by consumers, and the delivery of other
29 covered electronic devices if designated in the district recycling
30 plan.

31 For the purposes of this paragraph, "television" and "covered
32 electronic device," respectively, mean the same as those terms are
33 defined in section 2 of P.L.2007, c.347 (C.13:1E-99.95).**]**

34 b. The governing body of each municipality shall adopt an
35 ordinance which requires persons generating municipal solid waste
36 within its municipal boundaries to source separate from the
37 municipal solid waste stream, in addition to leaves, the specified
38 recyclable materials for which markets have been secured and,
39 unless recycling is otherwise provided for by the generator, place
40 these specified recyclable materials for collection in the manner
41 provided by the ordinance.

42 c. The governing body of each municipality shall, at least once
43 every 36 months, conduct a review and make necessary revisions to
44 the master plan and development regulations adopted pursuant to

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

Matter underlined thus is new matter.

1 P.L.1975, c.291 (C.40:55D-1 et seq.), which revisions shall reflect
2 changes in federal, State, county and municipal laws, policies and
3 objectives concerning the collection, disposition and recycling of
4 designated recyclable materials.

5 The revised master plan shall include provisions for the
6 collection, disposition and recycling of recyclable materials
7 designated in the municipal recycling ordinance adopted pursuant to
8 subsection b. of this section, and for the collection, disposition and
9 recycling of designated recyclable materials within any
10 development proposal for the construction of 50 or more units of
11 single-family residential housing or 25 or more units of multi-
12 family residential housing and any commercial or industrial
13 development proposal for the utilization of 1,000 square feet or
14 more of land.

15 d. The governing body of a municipality may exempt persons
16 occupying commercial and institutional premises within its
17 municipal boundaries from the source separation requirements of
18 the ordinance adopted pursuant to subsection b. of this section if
19 those persons have otherwise provided for the recycling of the
20 recyclable materials designated in the district recycling plan from
21 solid waste generated at those premises. To be eligible for an
22 exemption pursuant to this subsection, a commercial or institutional
23 solid waste generator annually shall provide written documentation
24 to the municipality of the total number of tons recycled.

25 e. The governing body of each municipality shall, on or before
26 July 1 of each year, submit a recycling tonnage report to the New
27 Jersey Office of Recycling in accordance with rules and regulations
28 adopted by the department therefor.

29 f. The governing body of each municipality shall, at least once
30 every six months, notify all persons occupying residential,
31 commercial, and institutional premises within its municipal
32 boundaries of local recycling opportunities, and the source
33 separation requirements of the ordinance. In order to fulfill the
34 notification requirements of this subsection, the governing body of
35 a municipality may, in its discretion, place an advertisement in a
36 newspaper circulating in the municipality, post a notice in public
37 places where public notices are customarily posted, include a notice
38 with other official notifications periodically mailed to residential
39 taxpayers, or any combination thereof, as the municipality deems
40 necessary and appropriate.

41 The governing body of a municipality that adopts a recycling
42 ordinance pursuant to subsection b. of this section may limit the
43 collection of designated recyclable materials to specified operating
44 hours in order to preserve the peace and quiet in neighborhoods
45 during the hours when most residents are asleep.

46 (cf: P.L.2007, c.347, s.23)

47

48 2. This act shall take effect immediately.

1 STATEMENT

2

3 This bill would extend the two-year deadline for the completion
4 of a course of instruction for municipal certified recycling
5 coordinators an additional three years, from January 13, 2010 to
6 January 13, 2013.

7 The provisions of the "Recycling Enhancement Act," P.L.2007,
8 c.311 (C.13:1E-96.2 et al.) require every municipality to designate
9 one or more persons as the municipal certified recycling coordinator
10 no later than January 13, 2010. The designated municipal certified
11 recycling coordinator is required to have completed the
12 requirements of a course of instruction in various aspects of
13 recycling program management, as determined and administered by
14 the Department of Environmental Protection (DEP).

15 According to DEP's proposed rules and regulations, a person
16 with no previous formal training must take a 21-day training
17 program. A person who has been a municipal recycling coordinator
18 but has fewer than 10 years of experience must take a 4-day
19 alternate training program and pass the associated exam.

20 These certification requirements place a real burden on small
21 municipalities, which often rely upon part-time or volunteer
22 recycling coordinators. This bill would provide municipalities with
23 additional time to meet the requirements.