

ASSEMBLY REGULATORY OVERSIGHT AND GAMING
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1534

STATE OF NEW JERSEY

DATED: MARCH 12, 2012

The Assembly Regulatory Oversight and Gaming Committee reports favorably Assembly Bill No. 1534.

This bill requires the Department of Environmental Protection to conduct an analysis of the “Pollution Prevention Act,” P.L.1991, c.235 (C.13:1D-35 et seq.), and report to the Legislature within 90 days after the date of enactment of this bill into law. For the analysis, the DEP is directed to evaluate the effectiveness of the law and the impact of the rules and regulations adopted by the department to implement the law upon the environment, public and occupational health, and the industrial facilities subject to the act.

In the report, the DEP is to: (1) summarize the implementation of the “Pollution Prevention Act” since its enactment in 1991; (2) provide a comparison of the pollution prevention program rules to other hazardous substances reporting requirements, including but not limited to the federal toxics release inventory program or those implemented by the Department of Environmental Protection pursuant to the “Toxic Catastrophe Prevention Act” and the “Worker and Community Right To Know Act”; and (3) make recommendations as to whether there should be statutory changes to the “Pollution Prevention Act” to increase pollution prevention activities at priority industrial facilities or to reduce duplication between the act and other hazardous substances reporting requirements.

The “Pollution Prevention Act” was enacted in 1991. On September 20, 2010, the DEP published in the New Jersey Register a notice that it was undertaking a stakeholder process to evaluate the pollution prevention program and to consider whether and how its implementing rules should be revised. This bill would complement that effort, by requiring the DEP to evaluate its implementation of the act and make recommendations for the future in a report to the Legislature.

This bill was pre-filed for introduction in the 2012-2013 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.