

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 2306

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 1, 2017

The Senate Environment and Energy Committee favorably reports Senate Bill No. 2306 with committee amendments.

This bill, as amended, would amend the existing law to expand the requirement for background checks to a broader range of persons involved in the solid waste industry, such as sales persons, consultants, and brokers. The bill would also subject persons or business concerns engaging in class B recycling services to the same regulation and oversight under the law as that which applies to the solid waste industry. Class B recycling services include the recycling of (1) source-separated, non-putrescible, waste material resulting from construction, remodeling, repair, and demolition operations on houses, commercial buildings, pavements and other structures, (2) source-separated, non-putrescible waste concrete, asphalt, brick, block, asphalt-based roofing, scrap wood, and wood waste, (3) source-separated whole trees, tree trunks, tree parts, tree stumps, brush, and non-composted leaves, (4) source-separated scrap tires, and (5) soil. For the purposes of P.L.1983, c.392 (C.13:1E-126 et seq.), “recyclable materials” would not include metal, glass, or plastic containers, paper, or corrugated cardboard. The bill would prohibit issuance of an A-901 license to persons debarred from operating in other states, prohibit individuals otherwise deemed unsuitable for the solid waste or recycling industries, convicted felons, and others of questionable character from holding an indirect, non-licensed stake in a solid waste or recycling industry (for example, those involved in vehicle leasing arrangements or property rental agreements with legitimate licensees). The bill would consolidate A-901 responsibilities within the Office of the Attorney General. Currently, these responsibilities are divided between the Department of Environmental Protection and the Office of the Attorney General.

The bill would require the Department of Environmental Protection, the Department of the Treasury, and the Attorney General to enter into a memorandum of agreement to provide for the establishment of a records management system to provide regulators with more effective and efficient access to information on the solid waste and recycling industries and their license and permit holders and license and permit applicants, and to facilitate appropriate sharing of

such information among relevant government agencies in New Jersey and elsewhere. Further, the bill would require the Attorney General to establish a reciprocal information exchange system with the State of New York and other states in the region to facilitate sharing of information on the solid waste and recycling industries among the states in the region. Finally, the bill would require the establishment of a centralized list in the Department of the Treasury of individuals and corporate entities who have been debarred by various State agencies from participation in a number of regulated industries apart from solid waste and recycling, such as construction, the casino gaming industry, and transportation. This requirement will ensure that the status of persons and businesses deemed unfit to work under one agency's purview is made known to all other appropriate agencies.

The committee amendments would narrow the bill's recycling provisions to apply to those persons or business concerns who engage in class B recycling services.