

ASSEMBLY, No. 87

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen ROONEY and ROCCO

1 AN ACT concerning district recycling plans, amending and
2 supplementing P.L.1987, c.102 and repealing section 5 of
3 P.L.1987, c.102 (C.13:1E-99.15).

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

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8 1. Section 3 of P.L.1987, c.102 (C.13:1E-99.13) is amended to
9 read as follows:

10 3. a. Each county shall, no later than October 20, 1987 and after
11 consultation with each municipality within the county, prepare and
12 adopt a district recycling plan to implement the State Recycling Plan
13 goals. Each adopted plan shall be [adopted as an amendment to the
14 district solid waste management plan required pursuant to the
15 provisions of the "Solid Waste Management Act," P.L.1970, c.39
16 (C.13:1E-1 et seq.)] subject to the approval of the department.

17 b. Each district recycling plan required pursuant to this section
18 shall include, but need not be limited to:

19 (1) Designation of a district recycling coordinator;

20 (2) Designation of the recyclable materials to be source separated
21 in each municipality which shall include, in addition to leaves, at least
22 three other recyclable materials separated from the municipal solid
23 waste stream;

24 (3) Designation of the strategy for the collection, marketing and
25 disposition of designated source separated recyclable materials in each
26 municipality;

27 (4) Designation of recovery targets in each municipality to achieve
28 the maximum feasible recovery of recyclable materials from the
29 municipal solid waste stream which shall include, at a minimum, the
30 following schedule:

31 (a) The recycling of at least 15% of the total municipal solid waste
32 stream by December 31, 1989;

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

Matter underlined thus is new matter.

1 (b) The recycling of at least 25% of the total municipal solid waste
2 stream by December 31, 1990; and

3 (c) The recycling of at least 50% of the total municipal solid waste
4 stream, including yard waste and vegetative waste, by December 31,
5 1995; and

6 (5) Designation of countywide recovery targets to achieve the
7 maximum feasible recovery of recyclable materials from the total solid
8 waste stream which shall include, at a minimum, the recycling of at
9 least 60% of the total solid waste stream by December 31, 1995.

10 For the purposes of this subsection, "total municipal solid waste
11 stream" means the sum of the municipal solid waste stream disposed
12 of as solid waste, as measured in tons, plus the total number of tons of
13 recyclable materials recycled; and "total solid waste stream" means the
14 aggregate amount of solid waste generated within the boundaries of
15 any county from all sources of generation, including the municipal
16 solid waste stream.

17 c. Each district recycling plan, in designating a strategy for the
18 collection, marketing and disposition of designated recyclable
19 materials in each municipality, shall accord priority consideration to
20 persons engaging in the business of recycling or otherwise lawfully
21 providing recycling services on behalf of a county or municipality on
22 January 1, 1986, if that person continues to provide recycling services
23 prior to the adoption of the plan and that person has not discontinued
24 these services for a period of 90 days or more between January 1,
25 1986, and the date on which the plan is adopted.

26 Each district recycling plan may be modified after adoption
27 pursuant to a procedure set forth in the adopted plan as approved by
28 the department.

29 d. A district recycling plan may be modified to require that each
30 municipality within the county revise the ordinance adopted pursuant
31 to subsection b. of section 6 of P.L.1987, c.102 (C.13:1E-99.16) to
32 provide for the source separation and collection of used dry cell
33 batteries as a designated recyclable material.

34 (cf: P.L.1992, c.167)

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36 2. Section 16 of P.L.1991, c.521 (C.13:1E-99.74) is amended to
37 read as follows:

38 16. Whenever a county prepares and adopts a district household
39 hazardous waste management plan, the [commissioner may require the
40 plan to be] plan shall be adopted [as an amendment to the district solid
41 waste management plan required] pursuant to the "Solid Waste
42 Management Act," P.L.1970, c.39 (C.13:1E-1 et seq.), and shall be
43 subject to approval by the department.

44 a. Each district household hazardous waste management plan,
45 subject to approval by the department, shall identify the county
46 strategy or strategies for the collection and disposal of household

1 hazardous waste, which shall, at a minimum:

2 (1) provide for the collection and disposal of used mercuric oxide
3 batteries, nickel-cadmium rechargeable batteries and sealed lead
4 rechargeable batteries at least once every 90 days;

5 (2) be consistent with the provisions of the district recycling plan
6 required pursuant to section 3 of P.L.1987, c.102 (C.13:1E-99.13);

7 (3) designate, if necessary, one or more collection sites within the
8 county for household hazardous waste collection and disposal; and

9 (4) include such other information as may be prescribed in rules or
10 regulations of the department.

11 b. A district household hazardous waste management plan, subject
12 to approval by the department, may provide for the collection and
13 disposal of any used dry cell batteries.

14 c. Household hazardous waste shall be collected, stored and
15 transported in accordance with all applicable standards for such wastes
16 adopted as rules or regulations by the department pursuant to
17 P.L.1970, c.39, or as prescribed under any other applicable federal or
18 State law.

19 d. The department may use a portion of the moneys available in the
20 State Recycling Fund pursuant to paragraph (2) of subsection b. of
21 section 5 of P.L.1981, c.278 (C.13:1E-96) for the purposes of
22 providing technical assistance and training to counties in proper used
23 dry cell battery management.

24 (cf: P.L.1991, c.521, s.16.)

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26 3. Section 5 of P.L.1987, c.102 (C.13:1E-99.15) is repealed.

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28 4. (New section) The provisions of any statute that are
29 inconsistent with P.L. , c. (C.) (pending in the Legislature as
30 this bill) shall be null and void.

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32 5. This act shall take effect upon the enactment into law of
33 P.L. , c. (C.) (pending in the Legislature as Assembly Bill
34 No. 2626 of 1995).

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STATEMENT

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39 This bill would amend the "New Jersey Statewide Mandatory
40 Source Separation and Recycling Act" to remove references to district
41 solid waste management plans. These plans would no longer be
42 required pursuant to Assembly Bill No. 2626 of 1995. This bill would
43 not take effect until enactment of that bill.

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3 Revises "New Jersey Statewide Mandatory Source Separation and
4 Recycling Act" to remove references to district solid waste
5 management plans.