

SENATE, No. 1830

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1997

By Senator LESNIAK

1 AN ACT concerning hazardous waste disposal capacity, and
2 supplementing P.L.1981, c.279 (C.13:1E-49 et seq.).

3

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

6

7 1. a. Within 18 months of the effective date of this act the
8 Department of Environmental Protection shall submit to the Governor
9 and the Legislature a report setting forth an analysis of the State's
10 existing hazardous waste generation and disposal capacity, and a
11 calculated projection of the estimated need during the next ten years
12 for additional hazardous waste disposal capacity, which projection
13 shall reflect an estimate of any reductions in the generation of
14 hazardous waste which may be achieved as a result of the pollution
15 prevention planning required pursuant to P.L.1991, c.235 (C.13:1D-35
16 et seq.).

17 b. The provisions of any other law, or rule or regulation adopted
18 pursuant thereto, to the contrary notwithstanding, no person shall
19 commence construction of a major hazardous waste facility until the
20 submission to the Governor and the Legislature of the report required
21 pursuant to subsection a. of this section. If the report shows that the
22 existing hazardous waste disposal capacity is sufficient to meet the
23 estimated need for hazardous waste disposal capacity, then no new
24 major hazardous waste facility shall be constructed.

25

26 2. This act shall take effect immediately.

27

28

29

STATEMENT

30

31 This bill would require the Department of Environmental Protection
32 to prepare and submit to the Governor and the Legislature a report
33 setting forth an analysis of the State's existing hazardous waste
34 generation and disposal capacity, and a projection of the estimated
35 need during the next ten years for additional hazardous waste disposal
36 capacity. This calculation shall include an estimate of any reductions
37 in the generation of hazardous waste which may be achieved as a

1 result of the pollution prevention planning required pursuant to the
2 "Pollution Prevention Act," P.L.1991, c.235 (C.13:1D-35 et seq.). The
3 department would be required to complete this report within 18
4 months of the enactment of this bill into law. This bill would prohibit
5 the commencement of construction of any new facility until after the
6 completion of the report. Finally, the bill would provide that if the
7 projection of the estimated need for hazardous waste disposal capacity
8 shows that existing disposal capacity is sufficient, then no new major
9 hazardous waste facility shall be constructed.

10

11

12

13

14 Requires analysis of State's existing hazardous waste generation and
15 disposal capacity by DEP; prohibits new construction if existing
16 capacity is sufficient.

WITHDRAWN