

SENATE, No. 2251

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 17, 1997

By Senator CARDINALE

1 **AN ACT** concerning the disposal and recycling of used motor oil
2 filters, and supplementing P.L.1970, c.39 (C.13:1E-1 et seq.).
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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6 1. As used in this act:

7 "Distributor" means a person who sells motor oil filters at
8 wholesale to retailers in this State, including any manufacturer who
9 engages in these sales.

10 "Manufacturer" means a person producing motor oil filters for sale
11 to distributors or retailers or consumers.

12 "Motor oil filter" means an integral part of an oil-flow system, the
13 purpose of which is to remove contaminants from the flowing oil
14 contained within the system.

15 "Retailer" means a person engaged in the sale of motor oil filters to
16 any person at retail and includes any manufacturer or distributor
17 engaging in retail sales.

18 "Sanitary landfill facility" means a solid waste facility at which solid
19 waste is deposited on or in the land as fill for the purpose of
20 permanent disposal or storage for a period exceeding six months,
21 except that it shall not include any waste facility approved for disposal
22 of hazardous waste.

23 "Solid waste" means garbage, refuse, and other discarded materials
24 resulting from industrial, commercial and agricultural operations, and
25 from domestic and community activities, and shall include all other
26 waste materials including liquids, except for source separated
27 recyclable materials or source separated food waste collected by
28 livestock producers approved by the State Department of Agriculture
29 to collect, prepare and feed such wastes to livestock on their own
30 farms.

31 "Solid waste facilities" means, and includes, the plants, structures
32 and other real and personal property acquired, constructed or operated
33 or to be acquired, constructed or operated by, or on behalf of, any
34 person, public authority or county pursuant to the provisions of the
35 "Solid Waste Management Act," P.L.1970, c.39 (C.13:1E-1 et seq.)
36 or any other act, including transfer stations, incinerators, resource

1 recovery facilities, sanitary landfill facilities or other plants for the
2 disposal of solid waste, and all vehicles, equipment and other real and
3 personal property and rights therein and appurtenances necessary or
4 useful and convenient for the collection or disposal of solid waste in
5 a sanitary manner.

6 "Used motor oil filter" means a motor oil filter which through use,
7 storage or handling has become unsuitable for its original purpose due
8 to the presence of impurities or loss of original properties.

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10 2. a. No person may dispose of a used motor oil filter in a sanitary
11 landfill facility. A used oil motor filter shall be recycled in accordance
12 with the used motor oil filter management regulations adopted by the
13 Department of Environmental Protection in accordance with section
14 4 of this act.

15 b. No sanitary landfill facility may knowingly accept for disposal
16 a used motor oil filter.

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18 3. a. Every retailer of motor oil filters shall conspicuously post and
19 maintain, at or near the point of sale, a legible notice to consumers,
20 not less than 8 1/2 inches by 11 inches in size, informing the public of
21 the importance of the proper collection and disposal of used motor oil
22 filters, and how and where used motor oil filters may be properly
23 disposed.

24 b. Every retailer who sells, distributes or delivers motor oil filters
25 individually or in bulk shall, upon delivery, provide notice to their
26 customers regarding the importance of the proper collection and
27 disposal of used motor oil filters, and how and where used motor oil
28 filters may be properly disposed.

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30 4. The Commissioner of the Department of Environmental
31 Protection shall adopt, pursuant to the provisions of the
32 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
33 seq.), rules and regulations providing for the management of use
34 motor oil filters, including, but not limited to the recycling of used
35 motor oil filters and the recovery of any waste oil, steel or metals.

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37 5. This act shall take effect one year following enactment, except
38 that the Commissioner of the Department of Environmental Protection
39 may take such anticipatory administrative action in advance as shall be
40 necessary for the implementation of the act.

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43 STATEMENT

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45 This bill would prohibit the disposal of a used motor oil filter in a
46 sanitary landfill facility. Instead, used motor oil filters must be

1 recycled, recovering any waste oil, steel or metals in accordance with
2 regulations concerning the management of used motor oil filters to be
3 adopted by the Department of Environmental Protection. The bill
4 would further require retailers of motor oil filters to post and maintain
5 notices regarding the proper management of used motor oil filters.

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10 Regulates the disposal of used motor oil filters.