

Hurricane Irene... Cleaning up the Mess

SEPTEMBER 2011

Hurricane Irene left behind massive quantities of downed trees, upturned sidewalks and an abundance of damaged municipal and utility infrastructure that will take weeks or months to clean and repair, but that's just the beginning. Tens of thousands of residents are left with flooded porches, basements and garages. As floodwaters recede an increasing number of neighborhood residents will be returning to their homes to be greeted with damaged property which will quickly and inefficiently make its way to the nearest dumpster, parking lot or sidewalk.

Governor Chris Christie has declared a state of emergency for New Jersey. In light of the massive cleanup ahead, NJDEP has issued an Administrative Order (AO) temporarily revising certain solid waste regulations: "The Department is acting under the authority of Governor Christie's Executive Order #73 dated August 25, 2011, Commissioner Martin's Administrative Order #AO2011-12 dated August 26, 2011, the Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.) and the Solid Waste Utility Control Act (N.J.S.A. 48:13A-1 et seq.)."

Partial Suspension of Solid Waste Regulations

From now until close of business September 27, or the state of emergency is concluded, or the AO is rescinded (whichever occurs first), the following exceptions to the Solid Waste and Recycling rules may be observed:

- Any clearly marked government vehicle (State, county, municipal, or National Guard) and certain institutional vehicles (e.g. hospitals, nursing homes, health care facilities) can temporarily haul solid waste, regardless of current or prior registration. Temporary registration forms are available for privately-owned, leased and unmarked vehicles.
- Solid waste facilities and approved Class B and Class C recycling facilities may operate 24 hours per day until September 5, providing that emissions/discharge limits are maintained and all other permit requirements are met. This exception applies to operating hours only. Requests for extended hours and authorization to accept and process materials in excess of permitted thresholds beyond this period will be considered by the NJDEP on a case-by-case basis.
- Emergency temporary staging of non-putrescible solid waste and separated household hazardous waste will be allowed in non-environmentally sensitive areas when necessary to maintain public health or safety. Notification to the NJDEP is required to avoid enforcement. Exemptions to the 90-day storage of hazardous waste are available from regional compliance & enforcement offices.

Please note that above exceptions to the Solid Waste and Recycling rules have been summarized and do not address all situations and do not authorize prohibited operations that are not explicitly allowed. Please review official documents for additional details.

Source Separation Still Mandatory

Please be advised that solid waste facilities, including recycling facilities, are not authorized to accept materials that are not included in their permits. Therefore, facilities permitted to accept Type 10 (municipal solid waste) cannot accept Type 13 (bulky waste) and vice versa. For example, mattresses, sheet rock, furniture, rugs and cabinets are considered Type 13 wastes and cannot be taken to facilities permitted for Type 10; while food, clothing, books and cardboard are Type 10 and cannot be mixed in a dumpster with Type 13 wastes. Municipalities and contractors should make efforts to inspect dumpsters and source separate these wastes or risk being refused at their destinations and fined by NJDEP.

In addition, the NJDEP has not relaxed the prohibition of disposing of household hazardous wastes as municipal solid waste. Oil and gasoline should be taken to an acceptable drop-off site for recycling. Materials such as rechargeable batteries, pesticides, waste lamps (fluorescent bulbs), mercury containing devices, oil-based paints and finishes, and consumer electronics (televisions, computers, monitors) are classified as universal wastes by NJDEP and must be managed properly until they can be collected for recycling or processing.

Likewise, refrigerants must be properly evacuated from damaged refrigerators, air conditioners and dehumidifiers, before they can be considered solid waste.

Additional Resources

- NJDEP Administrative Order No. AO2011-12: partial suspension of enforcement of regulations of the NJDEP pertaining to waste removal www.nj.gov/dep/commissioner/docs/ao2011-12.pdf
- NJDEP Compliance Alert (August 2011): DEP Addresses Debris Disposal Necessitated by Hurricane Irene www.nj.gov/dep/enforcement/advisories/2011-10.pdf
- NJDEP Guidance Document: Dealing with Increased Waste Generation in the Aftermath of Hurricane Irene www.nj.gov/dep/dshw/resource/wasteGuidanceDoc.pdf
- NJDEP Solid and Hazardous Waste Management Program www.nj.gov/dep/dshw
- County Solid Waste Contacts www.nj.gov/dep/dshw/recycling/swmoff.htm
- NJDEP Environmental Hotline: **1-877-WARNDEP**

For additional information, a list of NJDEP and Regional Contacts, a document of the ongoing status of collection and disposal facilities, and a flood and garbage debris fact sheet to distribute to residents, visit www.njeif.org/environmentalinformation/hurricaneirene.html



Questions about solid waste and recycling regulations, revision to same and this Environmental Alert may be addressed to:

Jared Eudell at 908.497.8900 x6729 or via email at jeudell@birdsall.com
Rob Teeter at 908.497.8900 x6271 or via email at rteeter@birdsall.com



BIRDSALL SERVICES GROUP
ENGINEERS & CONSULTANTS