

ASSEMBLY, No. 405

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman EDWARD H. THOMSON

District 30 (Monmouth and Ocean)

Assemblyman SEAN T. KEAN

District 30 (Monmouth and Ocean)

Assemblywoman BETTYLOU DECROCE

District 26 (Essex, Morris and Passaic)

SYNOPSIS

Provides for municipal review and submission of report opposing amendment to solid waste management plan; requires hearing and consideration by solid waste advisory council.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning district solid waste management plans, and
2 supplementing P.L.1970, c.39 (C.13:1E-1 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
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7 1. a. Any municipality within which a solid waste facility is
8 proposed for inclusion in the district solid waste management plan,
9 or within which the conversion of an existing solid waste facility
10 within the municipality is proposed that requires an amendment to
11 the district solid waste management plan, may conduct a review of
12 the proposal. The municipal review of the proposal may include a
13 review of the solid waste facility's application and the facility's
14 impact on, or addition to, traffic, noise, existing infrastructure, air
15 quality, odor, and other environmental factors. The municipality
16 may also conduct a public hearing as part of its review. The
17 municipality may prepare a written report which may include a
18 compilation of the information obtained in the review, together with
19 the hearing transcript, any other information relevant to the
20 application, and the municipality's position with regard to the
21 application.

22 b. The municipality may transmit the written report prepared
23 pursuant to subsection a. of this section to the solid waste advisory
24 council in the county in which the municipality is located, or the
25 Hackensack Meadowlands Municipal Committee in the case of the
26 Hackensack Meadowlands District. If the municipality that submits
27 a report pursuant to this section opposes the application, the solid
28 waste advisory council, or the Hackensack Meadowlands Municipal
29 Committee in the case of the Hackensack Meadowlands District,
30 shall conduct a hearing on the application.

31 c. The solid waste advisory council, or the Hackensack
32 Meadowlands Municipal Committee in the case of the Hackensack
33 Meadowlands District, shall consider the municipality's opposition
34 to the application and may, based upon the municipal opposition,
35 recommend that the application be denied by the board of chosen
36 freeholders, or the New Jersey Sports and Exposition Authority in
37 the case of the Hackensack Meadowlands District.
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39 2. This act shall take effect immediately.
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42 STATEMENT
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44 This bill would authorize a municipality within which a solid
45 waste facility is proposed for inclusion in the district solid waste
46 management plan, or within which the conversion of an existing
47 solid waste facility within the municipality is proposed that requires
48 an amendment to the district solid waste management plan, to

1 conduct a review of the proposal. The municipal review of the
2 proposal may include a review of the solid waste facility's
3 application and the facility's impact on, or addition to, traffic, noise,
4 existing infrastructure, air quality, odor, and other environmental
5 factors. The municipality may also conduct a public hearing as part
6 of its review.

7 The bill also authorizes a municipality to prepare and submit a
8 written report to the county solid waste advisory council, or the
9 Hackensack Meadowlands Municipal Committee in the case of the
10 Hackensack Meadowlands District, that details the municipality's
11 findings and the municipality's position with regard to the
12 application. If a municipality submits a report opposing the
13 application, the county solid waste advisory council, or the
14 Hackensack Meadowlands Municipal Committee in the case of the
15 Hackensack Meadowlands District, is required under the bill to
16 conduct a hearing on the application.

17 Finally, the bill provides that the county solid waste advisory
18 council, or the Hackensack Meadowlands Municipal Committee in
19 the case of the Hackensack Meadowlands District, must consider
20 the municipality's opposition to the application and may, based
21 upon the municipal opposition, recommend that the board of chosen
22 freeholders, or the New Jersey Sports and Exposition Authority in
23 the case of the Hackensack Meadowlands District, deny the
24 application.