

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 4268

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2021

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 4268.

As amended, this bill would authorize the use of steel slag as an aggregate for certain uses in industrial and commercial development and the remediation of contaminated sites.

Specifically, the bill would authorize a person to use steel slag as an aggregate in commercial or industrial development for one of the uses specified in subsection b. of the bill. The bill would also allow a licensed site remediation professional to authorize the use of steel slag as an aggregate in the remediation of a contaminated site for one of the uses specified in subsection b. of the bill. Under the bill, any authorized use of steel slag would be prohibited from causing the exceedance of any drinking water quality standard or groundwater quality standard established by law, and any steel slag would be required to meet all applicable engineering or geotechnical standards and specifications.

The bill would also authorize the Department of Environmental Protection (DEP) to adopt rules concerning the use of steel slag as an aggregate, as necessary in order to ensure the protection of the public health, safety, and the environment.

As amended and reported, this bill is identical to Assembly Bill No. 4851, as also amended and reported by the committee.

COMMITTEE AMENDMENTS

The committee amended the bill to:

(1) provide that steel slag used pursuant to the bill would be required to meet all applicable engineering and geotechnical standards and specifications;

(2) provide that the use of steel slag as alternative fill in the remediation of a contaminated site pursuant to the bill would not require prior written approval from the Department of Environmental Protection;

(3) narrow the allowed uses of steel slag under the bill to those specified in subsection b. of the bill;

(4) add definitions for "alternative fill," "contaminant," and "remedial action" to subsection d. of the bill; and

(5) make technical and clarifying changes to the bill's language.