



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

Mail Code 401-02
Solid and Hazardous Waste Management Program
Bureau of Recycling and Planning
P.O. Box 420
Trenton, NJ 08625-0420
Tel (609) 984-3438
Fax (609) 777-1951
www.recyclenj.org

BOB MARTIN
Commissioner

September 23, 2013

Association of New Jersey Recyclers
Dominick D'Altilio
120 FINDERNE AVENUE
BRIDGEWATER, NJ 08807

Dear Mr. D'Altilio:

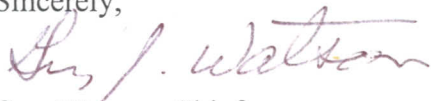
Thank you for your recent letter regarding the recycling of plastics. I hope that the following clarification is helpful.

Please know that you are correct in that the regulatory definition of "Class A recyclable material" found at N.J.A.C. 7:26A-1.3 is based upon the statutory bifurcation found in the Recycling Act at N.J.S.A. 13:1E-99.34b. As such, Class A recyclable materials are strictly defined as source separated non-putrescible metal, glass, paper, plastic containers, and corrugated and other cardboard. Therefore, pursuant to the statutory and regulatory provisions noted above, other recyclable plastics, such as source separated plastic toys, plastic furniture, rigid plastic, and shrink wrap, are classified as "Class B recyclable materials."

In recognition of the fact that the recycling of plastics other than plastic containers does not raise the same potential environmental and public health risks associated with the recycling of typical Class B recyclable materials such as concrete debris, wood scraps and scrap tires and therefore need not be regulated in the same manner, the Department carved out the regulatory exemption for non-container plastics found at N.J.A.C. 7:26A-1.4(a)9, as noted in your letter. While this exemption eliminates the need for a general approval to receive, store, process or transfer source separated non-putrescible non-container plastics, it does require compliance with all applicable regulatory conditions associated with this exemption, including the notification and reporting requirements that pertain to all of the regulatory exemptions found at N.J.A.C. 7:26A-1.4(b).

The provisions found at N.J.A.C. 7:26A-1.4(b) are quite simple and straightforward and should not pose any difficulties for a Class A recycling center interested in accepting plastics other than plastic containers at its operation. For your information, the exemption notification form is available at <http://www.state.nj.us/dep/dshw/resource/forms.htm> and should be sent via email to Ross Hull of my office at Ross.Hull@dep.state.nj.us.

Sincerely,



Guy Watson, Chief

NJDEP, Bureau of Recycling and Planning

- c. Marie Kruzan, Association of New Jersey Recyclers
Ross Hull, NJDEP, Bureau of Recycling and Planning