



State of New Jersey

CHRIS CHRISTIE
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Solid and Hazardous Waste
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BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

June 13, 2017

Re: Increasing New Jersey's Recycling Rate

Dear New Jersey Mayor,

This year marks the 30th anniversary of the enactment of the New Jersey Statewide Mandatory Source Separation and Recycling Act, which made New Jersey the first state in the country to require residential, commercial and institutional recycling.¹ Over the past 30 years, New Jersey has made significant progress in reaching the goal set in the Recycling Act of recycling 50 percent of municipal solid waste, but we are not yet there. With your help, we believe we can reach – and surpass – that goal.

As you know, New Jersey municipalities are required (in part) to:

- Designate a municipal recycling coordinator who will report annual recycling tonnages to the Department and who has completed professional certification pursuant to the municipal recycling ordinance (7:26A-11.1(a));
- Adopt an ordinance establishing a recycling program sufficient to achieve the designated recovery targets set forth in the district recycling plan and that includes, but is not limited to the below (7:26A-11.1(b)):
 - Require generators of municipal solid waste to source separate from the municipal solid waste stream, in addition to leaves, the recyclable materials designated in the district solid waste plan
 - Set standards for the placement and temporary storage of all recyclable materials in all new multi-family housing developments
 - Specify the municipal official(s) that shall enforce the ordinance
- Conduct a review and make necessary revisions to their master plan and development regulations which shall reflect changes in Federal, State, county and municipal laws, policies and objectives concerning the collection, disposition and recycling of designated recyclable materials at least once every 36 months (7:26A-11.4(c));
- Provide for a collection system for the recyclable materials designated in the applicable municipal recycling ordinance as may be necessary to achieve at least 50% of the municipal solid waste stream (MSW) and 60% of the overall waste stream to be recycled and reported as being recycled (7:26A-11.4(a); (13:1E-99.13));

¹ N.J.S.A. 13:1E-99.11 et seq., which was signed into law in 1987 and which has been codified into rules (in part) at N.J.A.C. 7:26A-11.1. Hereinafter applicable requirements from N.J.S.A. 13:1E-99.11 and N.J.A.C. 7:26A-11.1 are collectively referred to as 'requirements'. Please see statute and rules for all requirements.

- Submit a recycling tonnage report to the NJDEP between January 1 and April 30 of each year that captures all residential, commercial and institutional recycling sector tonnages for the previous calendar year (7:26A-11.2(a));
- Notify all persons occupying residential, commercial and institutional premises within its municipal borders of local recycling opportunities, and the source-separation requirements of the municipality's recycling ordinance at least once every six months (7:26A-11.3);
- Ensure all generators of solid waste are source separating the materials included in the municipal recycling ordinance (13:1E-99.16(b)), and;
- Ensure all commercial and institutional generators report their annual recycling tonnage amounts to the municipality they are located within (7:26A-10.3).

Failure to do so may result in:

- Reduction in grant monies awarded to municipalities from the Recycling Enhancement Act;
- State audits of recycling reporting records and grant awards.

DEP encourages each municipality to work with their respective County Recycling Coordinator through their Municipal Recycling Coordinator in this effort. Such efforts may include joining up with county-wide recycling programs or conducting a county-wide or municipal recycling education campaign or enforcement blitz.

DEP requests your assistance in increasing New Jersey's recycling rate by ensuring that your municipality complies with all requirements. DEP is also specifically encouraging your Municipal Recycling Coordinator to ensure that commercial/institutional generators including schools, hospitals and multi-family housing locations in your municipality are source separating mandated recyclable materials and reporting same as appropriate.

Should you have any questions regarding this information, please contact your County Recycling Coordinator, listed at http://www.nj.gov/dep/dshw/recycling/recycling_coordinators.pdf.

Thank you for your attention to and efforts to assist New Jersey in increasing the rate of recycling in our State. Together, we can reach the goal.

Sincerely,



Mary Jo M. Aiello, Director
Division of Solid and
Hazardous Waste

c. County Recycling Coordinator
Municipal Recycling Coordinators