

ASSEMBLY ENVIRONMENT, NATURAL RESOURCES, AND
SOLID WASTE COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2776

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 16, 2024

The Assembly Environment, Natural Resources, and Solid Waste Committee reports favorably and with committee amendments Assembly Bill No. 2776.

As amended, this bill would exempt plastic material transported and delivered to, and processed at, an advanced plastic processing facility from the State laws that regulate the disposal or recycling of solid waste. However, the bill would provide that advanced plastic processing facilities would still be subject to all other State and federal laws, including environmental laws. The bill would also provide that the terms "advanced plastic processing" and "advanced plastic processing facility" are distinct from various other terms related to solid waste, as described in section 2 of the bill.

The bill would also amend the definition of "solid waste" which appears in the "Solid Waste Management Act" (SWMA), P.L.1970, c.39 (C.13:1E-1 et seq.), in order to exclude, from that definition, source separated plastic material that is transported and delivered to, and processed at, an advanced plastic processing facility. The bill would, thus, exclude this type of plastic from the substantive provisions of the SWMA, which, among other things, gives the Department of Environmental Protection the authority to regulate solid waste collection, transportation, and disposal.

The bill would define an "advanced plastic processing facility" as a facility that receives, stores, and processes plastic material generated from industrial, commercial, agricultural, or domestic activities, transforming it into useable products, including, but not limited to, plastic monomers, chemicals, waxes, lubricants, or chemical feedstocks, using chemical processes such as gasification, pyrolysis, and solvolysis.

This bill was pre-filed for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amendments would revise the definition of “advanced plastic processing facility” to exclude facilities that receive, store, or process plastic material for the purpose of generating fuels, such as crude oil, diesel, gasoline, or home heating oil.