

# SENATE ENVIRONMENT AND ENERGY COMMITTEE

## STATEMENT TO

### **SENATE, No. 421**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JANUARY 30, 2023

The Senate Environment and Energy Committee favorably reports Senate Bill No. 421, with committee amendments.

This bill, as amended by the committee, would establish Statewide targets to reduce the disposal of organic waste in landfills, and would require the Department of Environmental Protection (DEP) to adopt regulations to achieve those targets.

The Statewide targets established in the bill are as follows: (1) a 50 percent reduction in the level of the Statewide disposal of organic waste from the 2016 level by January 1, 2027; and (2) a 75 percent reduction in the level of the Statewide disposal of organic waste from the 2016 level by January 1, 2032. The bill would require the DEP to adopt regulations to achieve these targets within 18 months after the bill's enactment. These regulations may require local governments to impose requirements on generators of organic waste or other appropriate persons or entities, and may authorize local governments to impose reasonable penalties for noncompliance. The regulations would not, however, include a numeric organic waste disposal limit for individual landfills.

The bill would authorize local governments to charge and collect reasonable fees from generators of organic waste and other appropriate persons or entities to recover costs the local government incurs in complying with the regulations. No later than July 1, 2027, the DEP would be required to prepare and submit a report analyzing the progress that the solid waste sector, State government, and local governments have made in achieving the organic waste reduction targets established in the bill. Nothing in the bill would prohibit a local government from adopting, implementing, and enforcing requirements regarding the reduction of organic waste that are more stringent than, or in addition to, those adopted under the bill.

The committee amendments to the bill:

(1) push back the timeline for the organic waste disposal targets and the report required from the DEP by five years, in order to account for time that has elapsed since the original version of the bill was introduced in a previous legislative session; and

(2) add a provision requiring the DEP commissioner, or a designee, to provide testimony to a joint meeting of the Senate Environment and

Energy Committee and the Assembly Environment and Solid Waste Committee, if DEP does not adopt rules and regulations to implement the bill within 18 months after enactment.

This bill was prefiled for introduction in the 2022-2023 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.