

CHAPTER 80**SOLID AND HAZARDOUS WASTE
INFORMATION AWARDS****Authority**

N.J.S.A. 13:1E-9.2, 13:1E-48.24, 13:1E-67b,
13:1E-191b and 58:10A-49c.

Source and Effective Date

R.2000 d.390, effective August 31, 2000.
See: 32 N.J.R. 2383(b), 32 N.J.R. 3580(a).

Executive Order No. 66(1978) Expiration Date

Chapter 80, Solid and Hazardous Waste Information Awards, expires
on August 31, 2005.

Chapter Historical Note

Chapter 80, Solid and Hazardous Waste Information Awards, was
adopted as R.1990 d.471, effective September 17, 1990. See: 21 N.J.R.
2911(a), 22 N.J.R. 2999(a).

Pursuant to Executive Order No. 66(1978), Chapter 80, Solid and
Hazardous Waste Information Awards, was readopted as R.1995 d.536,
effective September 12, 1995. See: 27 N.J.R. 2678(a), 27 N.J.R.
3973(b).

Pursuant to Executive Order No. 66(1978), Chapter 80, Solid and
Hazardous Waste Information Awards, was readopted as R.2000 d.390,
effective August 31, 2000. See: Source and Effective Date. See, also,
section annotations.

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**SUBCHAPTER 1. GUIDELINES FOR THE
IMPLEMENTATION OF THE SOLID AND
HAZARDOUS WASTE AWARD PROGRAMS****13:80-1.1 Purpose and authority**

(a) The purpose of this subchapter is to prescribe rules
authorized by and pursuant to N.J.S.A. 13:1E-9.2, 48.24,
67b, 191b and N.J.S.A. 58:10A-49c, in order to implement

the provisions of N.J.S.A. 13:1E-9.2, 48.24, 67a, 191a and
N.J.S.A. 58:10A-49c, which respectively provide as follows:

1. N.J.S.A. 13:1E-9.2—A member of the public who
supplies information to an enforcing authority which prox-
imately results in the imposition and collection of a civil
penalty as the result of a civil action brought pursuant to
subsection f of section 9 of P.L. 1970, c.39 (N.J.S.A.
13:1E-9), or any code, rule, or regulation promulgated,
administrative order issued, or assessment imposed pursu-
ant thereto, shall be entitled to a reward of 10 percent of
the civil penalty collected, or \$250.00, whichever amount
is greater.

2. N.J.S.A. 13:1E-48.24—A member of the public who
supplies information to an enforcing authority that prox-
imately results in the imposition and collection of a civil
penalty as a result of a civil action brought pursuant to
subsection b of Section 20 of this act, or any rule or
regulation adopted, administrative order issued, or assess-
ment imposed pursuant thereto, or the imposition and
collection of a criminal penalty as a result of a criminal
action brought pursuant to subsections g, h, i or j of
Section 20 of this act, shall be entitled to a reward of 10
percent of the penalty collected or \$250.00, whichever
amount is greater.

3. N.J.S.A. 13:1E-67a—Any person who supplies any
information which proximately results in the arrest and
conviction of any other person for the illegal treatment,
storage or disposal of hazardous waste shall be awarded
one-half of any penalty collected as a result thereof.

4. N.J.S.A. 58:10A-49c—Any person who provides in-
formation to an enforcing authority concerning a violation
of this act that proximately results in the imposition and
collection of a criminal penalty as a result of a criminal
action brought pursuant to this act shall be entitled to a
reward of 10 percent of the penalty collected.

5. N.J.S.A. 13:1E-191a—Any person who supplies any
information which proximately results in the arrest and
conviction of any other person for the illegal treatment,
storage or disposal of low-level radioactive waste shall be
awarded one-half of any penalty collected as a result
thereof.

13:80-1.2 Definitions

For the purpose of this subchapter, the terms set forth in
N.J.S.A. 13:1E-67a, N.J.S.A. 13:1E-191a, N.J.S.A.
58:10A-49, N.J.S.A. 13:1E-48.24 and N.J.S.A. 13:1E-9.2,
are defined as follows:

“Information which proximately results” means informa-
tion which in an ordinary natural sequence results in either
an arrest, conviction and imposition and collection of a
criminal fine or the imposition and collection of a civil
penalty. For the purposes of award eligibility, in no case

shall this term include information obtained exclusively from any public record or received as a result of either a plea bargain or compulsory legal process.

“Penalty” means any fine imposed for any criminal conviction for the illegal treatment, storage or disposal of hazardous or low-level radioactive waste; illegal treatment, storage, transportation or disposal of medical waste; or illegal discharge of certain material into the ocean waters; any penalty imposed pursuant to any civil action brought for the illegal treatment, storage, transportation or disposal of solid, hazardous or medical waste; or any penalties assessed for violating an administrative order or court order, or failure to pay in full an administrative assessment filed pursuant to N.J.S.A. 13:1E-9.2 and 48.24.

“Person” means any natural person or any corporation, partnership or other form of business association, but, for purposes of award eligibility, in no case shall this term include any public employee, his immediate family or any persons residing within the public employee’s household, or any State, county or municipal entity whose duty it is to insure compliance with, investigate or enforce these laws and regulations.

13:80-1.3 Responsibility

(a) The Division of Criminal Justice, in the Department of Law and Public Safety, has been designated by the Attorney General the responsibility of receiving and considering information pursuant to the provisions of N.J.S.A. 13:1E-9.2, 48.24, 67a and 191a and N.J.S.A. 58:10A-49. The Division of Criminal Justice shall be responsible for reviewing applications for awards, determining whether or not any application should be approved and award granted and forwarding the information and its recommendation to the Attorney General’s designee who shall approve all awards. In the performance of these functions, the Division of Criminal Justice is authorized to propose and adopt guidelines and procedures, such as those set forth herein, for the processing of applications under this section. The Division of Criminal Justice is further authorized to establish committees which will assist in the administration of this award program.

(b) The address to contact the Division of Criminal Justice is:

Division of Criminal Justice
Environmental Crimes Bureau
Richard J. Hughes Justice Complex
25 Market Street
PO Box 085
Trenton, New Jersey 08625-0085

Amended by R.1995 d.536, effective October 16, 1995.
See: 27 N.J.R. 2678(a), 27 N.J.R. 3973(b).
Amended by R.2000 d.390, effective October 2, 2000.
See: 32 N.J.R. 2383(b), 32 N.J.R. 3580(a).
Inserted designation for (a); and added (b).

13:80-1.4 Application procedure—criminal

(a) An application in a criminal proceeding requires the completion of Information Form DCJ 13-58 prescribed by the Division of Criminal Justice. This form must be completed and signed by personal appearance of the applicant (or in the case of an entity, its authorized representative), at the Environmental Crimes Bureau of the Division of Criminal Justice or at the county prosecutor’s office in the county where the offense is alleged to have occurred. The county prosecutor’s office shall forward a copy of each completed application to the Environmental Crimes Bureau of the Division of Criminal Justice and the Department of Environmental Protection within 15 days of receipt.

(b) The person submitting the information may, at the discretion of the, Environmental Crimes Bureau of the Division of Criminal Justice or Department of Environmental Protection with regard to the information the applicant is submitting for consideration. An applicant may also be required to give his or her verbal statement under oath and sign a written memorialization of his or her statement.

(c) The Division of Criminal Justice shall acknowledge to the applicant, in writing, receipt of his or her application.

(d) In any legal proceeding conducted exclusively by a county prosecutor’s office, wherein an application has been submitted pursuant to this section, and which results in an arrest, conviction and imposition and collection of a criminal penalty for the illegal treatment, storage or disposal of hazardous or low-level radioactive waste; for the illegal discharge of certain material into ocean waters; or for the illegal treatment, storage, transportation or disposal of medical waste, the prosecutor’s office, upon sentencing of the convicted person, shall, within 15 days thereof, forward written notification to the Environmental Crimes Bureau of the Division of Criminal Justice of any fines imposed for the purpose of processing any pending award application under this subchapter.

Amended by R.1995 d.536, effective October 16, 1995.
See: 27 N.J.R. 2678(a), 27 N.J.R. 3973(b).
Amended by R.2000 d.390, effective October 2, 2000.
See: 32 N.J.R. 2383(b), 32 N.J.R. 3580(a).

In (a), deleted a reference to the location of the Division of Criminal Justice.

13:80-1.5 Application procedure—civil

(a) An application in a civil proceeding requires the completion of Information Form DCJ 13-58A prescribed by the Division of Criminal Justice. This form must be completed and signed by personal appearance of the applicant (or in the case of an entity, its authorized representative), at the Environmental Crimes Bureau of the Division of Criminal Justice or at the county health department in the county where the offense occurred. The county health department shall forward a copy of each completed application to the Environmental Crimes Bureau of the Division of Criminal Justice and the Department of Environmental Protection within 15 days of receipt.