

PUBLIC HEARING

before

COMMISSION TO STUDY THE PROBLEM OF SOLID
WASTE DISPOSAL [CREATED UNDER PROVISIONS
OF ASSEMBLY CONCURRENT RESOLUTION NO. 36]

Held:
October 22, 1965
Prudential Building
Newark, New Jersey

Testimony of Dr. Roscoe P. Kandle,
State Commissioner of Health

MEMBERS OF COMMISSION PRESENT:

Senator C. Robert Sarcone [Chairman]

Senator William F. Kelly, Jr.

Assemblyman Maurice V. Brady

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SENATOR C. ROBERT SARCONE [Chairman]: This is the first public hearing of a series of public hearings that will be held under Assembly Concurrent Resolution Number 36, which provides in particular under 3, "It shall be the duty of said commission to study the problem of solid waste disposal and, in connection therewith, to assess the availability to the respective counties and municipalities of this State of land sites suitable to meet the need for disposing of solid waste by various methods, to undertake research into methods of improving procedures and techniques for solid waste disposal and to encourage counties and municipalities to work cooperatively on a regional basis to resolve their common problems of solid waste disposal." That is paragraph 3 of the resolution.

Before we proceed, I have been requested by Assemblyman Musto of Hudson County to make part of the record a letter dated August 31, 1965, from Assemblyman Musto in his capacity as an Assemblyman and as Mayor of Union City, to the Honorable Robert A. Roe, Commissioner of the Department of Conservation and Economic Development. The letter consisting of four pages will be made part of the record. [Assemblyman Musto's letter can be found on page 35 of this transcript.] And another letter dated August 31, 1965, from Mr. Musto as Assemblyman from Hudson County and as Mayor of Union City, to the Honorable Roscoe P. Kandle, Commissioner, Department of Health, State of New Jersey, will be made part of the record. This letter also consists of four pages. [Assemblyman Musto's letter to Dr. Kandle can be found on page 39 of this transcript.] The letters are almost identical I take it.

In the letters Assemblyman Musto points out a problem that exists in connection with Union City pertaining to solid waste disposal.

Dr. Kandle, we thank you for appearing this morning. For the record, I suppose you had better identify yourself.

DR. KANDLE: I am Roscoe P. Kandle, the State Commissioner of Health.

SENATOR SARCONE: Before you start, I would like to introduce the other members of the Commission. To my left is Senator William F. Kelly from Hudson County, and to my right is Assemblyman Maurice Brady of Hudson County. The other Commission members who are not present are: Senators Pierce Deamer of Bergen County, Senator Lynch of Middlesex County, Assemblyman Burke of Essex County, Assemblyman Addonizio of Essex County, and Assemblyman Moraites of Bergen County. They have communicated with me and have indicated that they are engaged in other matters. If they can, they will be here during the course of the hearing.

I do want to thank Senator Kelly and Assemblyman Brady for coming. I was afraid that I as Chairman of the Committee would be sitting by myself.

Doctor, on behalf of the Commission, I would ask you in your capacity as Commissioner of Health what problems exist in the area under review by this Commission and, if problems do exist, and it is apparent that there are problems in connection with the disposal of solid waste, what, if anything, has been done in the way of review and improvement and what recommendations, if any, you might have.

Before you commence, Doctor, I have received a note from my secretary that Commissioner Roe's secretary telephoned and his schedule has become so tight that he will not be able to attend the meeting this morning.

So we will have the benefit of Dr. Kandle's testimony this morning, after which we will conclude the hearing. Doctor, would you proceed in narrative form or if you have a written statement, you may present it.

D R. R O S C O E P. K A N D L E: I have a short statement.

Solid waste disposal is an acute major problem in New Jersey. There are approximately 12,600 tons of household garbage and refuse which must be disposed of daily at 417 sanitary landfill sites in New Jersey. In addition, 7,500 tons of industrial and commercial refuse in New Jersey and 1,000 tons from New York City and Philadelphia are disposed of daily in New Jersey. The bulk of this huge amount of solid waste is generated by municipalities of the five counties in the northeastern section of New Jersey, that is, Passaic, Bergen, Hudson, Essex and Union. A total of 118 municipalities in these five counties do not have refuse disposal areas and are thus dependent on disposal in other municipalities.

The sanitary landfills now being operated are substantially in compliance with Chapter VIII of the State Sanitary Code. There are, of course, violations and the task of supervision, education and constant improvement of practices is a large one and will require additional staff. One of the important

parts of this endeavor are the courses which are given in Solid Waste Collection and Disposal by Rutgers, the State University, in its Extension Division, and these are in their fifth year. The State Department of Health supplies part of the faculty. Both basic and advanced courses are provided.

The problem of disposal of demolition wastes, particularly the bulky flammable wastes, is unsolved. The volume is large and unmeasured. A considerable part goes into 47 landfills in the five metropolitan counties, but other parts are disposed of by less organized methods. New methods of handling these materials and the responsibility for their disposal must be placed on the urban redevelopment or building construction project and included in the costs of such projects.

Eleven incinerators have been constructed in this metropolitan area but only two are now in operation. Nine incinerators were abandoned or demolished because of the high cost of operation, repair and replacement. The two operating incinerators do not have the capacity to burn the refuse produced by these two municipalities, that is, the part of it which can be dealt with by incineration. They are Hackensack and Jersey City. As a result, the excess is brought to the existing refuse disposal areas located nearby. I want to emphasize especially, however, that both incineration and landfill operations are always required; that is, these are not alternatives, they are supplemental methods.

Of the total 36 incinerators constructed by municipalities throughout the State, only 11 are operational and most of these are of inadequate capacity to handle the refuse produced

by the municipalities they serve. Municipalities have almost regularly failed to have qualified operators and sustained maintenance of these expensive installations.

From a total of 567 municipalities in this State, 303 do not have organized refuse disposal areas or do not have space to provide for such refuse disposal areas. Of necessity in the majority of cases, refuse must cross municipal and county lines in order to be disposed of in sites located in other municipalities. In other instances, such as Trenton, municipalities must cross State boundaries in order to dispose of their refuse and this goes in both directions. As we noted earlier, New York comes over here. There is quite a bit of this.

Closely tied to the problem of disposal are the many problems of collection. The greatest volume of collection is by contracts by private contractors with municipalities, arranged by bid. About 40 municipalities conduct official municipal collection systems. The greatest number of collectors are individuals or firms which make arrangements with private residences or businesses where the municipalities do not establish any other system. A few of these are under franchise. Sometimes, however, these arrangements supplement municipal systems.

As disposal sites are used up, longer transportation is inevitable. There is urgent need to improve equipment, compaction methods, transfer stations and collection and transportation systems. Almost certainly this phase must come under State legislative control.

Major improvement in refuse disposal areas as well as collection practices must be made to prevent indiscriminate and promiscuous dumping of refuse along highways, streets and nearby access roads to the refuse disposal areas. This problem is not associated with organized municipal refuse collectors or private refuse contractors who have properly equipped refuse collection vehicles for compaction and rapid ejection of refuse. The spurious dumpers have trucks and pickup bodies which do not compress refuse and depend upon manual loading and unloading of the refuse. By proper regulation of collection vehicles, much of this spurious dumping can be controlled. This is basically a police problem.

A major issue in this area is the future use of the Hackensack Meadows. Large and important industrial areas have been reclaimed by sanitary landfills, including Newark Airport. The decisions about this land use obviously involve many aspects, such as flood control, municipal interests, recreation and engineering and economics. They must be made soon, however. Currently the Hackensack Meadows are the disposal area for three million people.

Most people do not recall the great improvements which have occurred in solid waste disposal in this area. The famous pall of smoke and odor which continuously hung over the Hackensack Meadows until about 1958 is gone. There are occasional fires on operating landfills, but these are extinguished as promptly as possible. There has also been underground burning this summer in areas previously used as landfills. Some of this has persisted although the State

Government has worked all summer in controlling and extinguishing these fires. This has occurred primarily because of the severe drought which dried out these areas and also the peat bottom of the Meadows themselves.

Lately, a group of experienced persons from this area and the State Health Department developed a model ordinance and I have copies of that here, sir, which I would like to put in the record. The ordinance is called, "An Ordinance Relating to Disposal of Garbage and Refuse by Sanitary Landfill Requiring Licenses for Use of Premises for Purposes of Garbage or Refuse Disposal, and Fixing Penalties for Violations." It is recommended for adoption by municipalities having sanitary landfill operations.

This proposal embodies a number of principles which will probably be necessary parts of new broader legislation. They include:

- (1) the requirement of a revocable license,
- (2) the requirement of a performance bond,
- (3) a detailed application providing details of operation, which shall be required and will have to be maintained,
- (4) control of highly flammable wastes,
- (5) and insurance for constructor's liability.

Some of this ordinance was based on research conducted by an engineering firm for the State Department of Health. Much more research is needed urgently. It must be a major part of any serious effort to deal with this problem in New Jersey. Areas of needed research are: disposal of flammable

industrial wastes and chemicals, massive grinding to reduce bulk, better incineration, better collection methods and better equipment and better financing systems. Interestingly, New York City hauls refuse on barges a distance of at least twenty nautical miles to a sanitary landfill in Fresh Kills, Staten Island very economically. This, too, could be done in New Jersey under long range plans.

There are other marginal lands breeding mosquitoes in New Jersey as well as abandoned clay pits, spent sand and gravel pits which can be filled with refuse through the use of transfer stations as well as marine transfer stations for hauling refuse for proper disposal by the sanitary landfill method.

A hopeful advance has been the signing into law of Senate Bill 306 by President Johnson which recognizes the national scope of this problem. This will stimulate research and provide some funds, I hope, for demonstrations and development of larger area-wide collection and disposal systems.

It should not go unnoted that part of this problem is the affluence of this country and our culture. There is tremendous waste in our living, industrial and building practices and little conservation and re-use. The characteristics of the refuse has changed greatly in the last few years. Other countries do a better job in these areas than we do. Waste is an ethical issue.

SENATOR SARCONE: Do you wish to make any further statement at this time, Doctor?

DR. KANDLE: I am at your disposal.

SENATOR SARCONE: Senator Kelly, do you have any questions?

SENATOR KELLY: Not right now.

SENATOR SARCONE: Assemblyman Brady?

ASSEMBLYMAN BRADY: Mr. Chairman, I suggest Mr. Applebaum get copies of Senate Bill 306.

MR. APPLEBAUM: Copies have been requested.

SENATOR SARCONE: I have them in the file, haven't I?

MR. APPLEBAUM: No. The final version as amended by the House has not been received yet. We have the House amendments in the Congressional Record, which is part of your file.

SENATOR SARCONE: I would like to make part of the record at this time - of course, we will receive the final draft of the bill that was actually signed by President Johnson - an article from the Congressional Quarterly Weekly for the week ending October 1, explaining the solid waste disposal, and then the Congressional Record for September 24, 1965. This portion of the record contains a debate on S 306, which is the bill in question, in particular pages 24161 and 24162, for the basic amendment of S 306 concerning solid waste disposal, and also an article from the Trentonian of September 25, 1965, explaining the House version of the bill.

[The articles referred to above were made part of the Commission's file.]

SENATOR SARCONE: Not knowing the final details of the bill - but just generally, Doctor, perhaps you might be able to relate what you do know of the bill. As we understand it, under Title II there would be benefits running to the states

in connection with this problem. Is that correct?

DR. KANDLE: Yes, on the basis of project grants, that is, either the state or groups of municipalities or broad areas, more than just a municipality, can make an application for a grant which will let them do planning - do a demonstration of new methods. It is fairly limited.

SENATOR SARCONE: Is this one in which the State would have to supply matching funds?

DR. KANDLE: Yes.

SENATOR SARCONE: What is it, 50-50?

DR. KANDLE: I don't remember, Senator.

MR. WEISBURD: It is 50-50.

SENATOR SARCONE: The State could create an agency or the municipalities or even counties, I suppose, could join together?

DR. KANDLE: Right. I don't think single municipalities could do this. Clearly the force of it is on larger areas, developing larger systems of disposal. It is largely on research and development.

SENATOR SARCONE: Doctor, do you know as a result of the fact that municipalities or counties are dependent on their disposal in other municipalities or counties whether this has posed any problem? Has any problem resulted?

DR. KANDLE: Surely. It is almost a game now because municipalities outlaw dumping of solid waste and then they just have to find some sucker municipality who will accept it. It is about as crude as that.

SENATOR SARCONE: Could you just give us some examples

of some of the problems that have developed?

DR. KANDLE: Well, I think the problem is that there are no plans at present. This is sort of a hit or miss kind of development. For instance, one of the better systems is the joint group of the Oranges and Maplewood. They have a contract with a sanitary landfill operator down in the Hackensack Meadows. Of course, as I tried to bring out in my paper, this is a crucial problem for this area. This solid waste has to go somewhere. It doesn't evaporate. It just keeps coming every single day. It is inexorable. So arrangements for longer transportation and different systems are the key to the development in the future.

I think you probably are acquainted with the arguments that took place in the Hackensack Meadows with the Bergen County people earlier in the year.

SENATOR SARCONE: Of course, Doctor, we are talking about developing this area and this would certainly in the future, would it not, present more serious problems?

DR. KANDLE: There are thousands of acres in the Hackensack Meadows and a decision has to be made by somebody, and I don't know who that somebody will be, as to what the use of the meadows will be. There is a Hackensack Meadows Commission now and a number of studies have been made. The thing that concerns me as I look at the solid waste disposal problem is that many of the persons believe that these meadows should not be

used for solid waste. If that is so and that decision were reached, of course, there would be a tremendous problem, a problem for which we have no solution at the present time. But on the other hand, there has been substantial reclamation and since I am responsible for administering the Sanitary Code, I can't imagine what other thing we could do right now. It looks like a good method to me. But I am not a decision maker in that regard.

SENATOR SARCONE: What looks like a good method, Doctor?

DR. KANDLE: The use of sanitary landfill in the Hackensack Meadows under controlled conditions.

SENATOR SARCONE: Doctor, you point out in your written statement that we do have two incinerators. There were eleven incinerators constructed in the metropolitan area; two are in operation. Nine incinerators were abandoned or demolished because of high cost of operation, repair and replacement. From what you know of incinerators, can you tell us whether or not this is an area that would help solve the problem?

DR. KANDLE: It will have to be. We must go to more incineration. I don't think we are going to be able to avoid that. The problem is to engineer a good incinerator and build one for a large enough group of municipalities or area that they can afford it. The problem now is that the incinerators that have been built in the past are expensive and then municipalities generally, as I say, don't do a good job of getting qualified people and keeping up the maintenance and the things burn out and they are soon abandoned. It has been

a very expensive and dismal history in the whole state, not just here, but other places too. The technology of incineration needs advancing, but it would be helpful if the municipalities in a large area built a decent incinerator, a large incinerator. Then they could keep it up and it would pay its way. These things are not cheap. This gets up into the big money.

Another approach to this is whether or not these incinerators and such devices should be subsidized for the common good because this obviously does more than help the immediate municipalities. I say, with all the municipalities up here - 118 of them - having no disposal area, they are all in it together. I mean, they are getting a free ride now.

SENATOR SARCONE: But with eleven incinerators constructed and only two in operation - what has been the experience in so far as the two that are in operation - are they satisfactory?

DR. KANDLE: I am not acquainted with the details of these two as of today. I gather they are all right. I don't know that we have cited them for air pollution.

MR. WEISBURD: Not lately.

SENATOR SARCONE: You indicated, Doctor, that perhaps we should have larger ones and also that the technology should be advanced. But do you know of any operation of incinerators which has proven to be very successful which might be used in an area of, say, northern New Jersey?

DR. KANDLE: I think the incineration industry is able to build an adequate incinerator; that is, one that in the

first place will dispose of the materials and will avoid air pollution. That is the other side of the coin.

SENATOR SARCONE: That is the next question.

DR. KANDLE: Obviously you have to do both. But this gets to be expensive. You can't build one of those old-fashioned, lousy, stinking, dirty incinerators. You have to build an incinerator which is high temperature and which has air pollution controls in it and this costs real money. It can be done, but it has to be done on a broad area so you have a broad base on which to serve. It is a problem of economics as well as technology.

SENATOR SARCONE: Where, Doctor, if you know, is there an incinerator of the kind and quality that would be satisfactory for the disposal of waste and also would satisfy the air pollution problem?

MR. ZEMLANSKY: Not in New Jersey. They have eleven in New York City, if I may give data, but they still need air pollution control devices and they don't have the money to put them up.

SENATOR SARCONE: What we are trying to ascertain, at least I am, Doctor - is there the ideal one in existence that you know of, one that is disposing of solid waste and would meet the problem of air pollution?

DR. KANDLE: I don't personally know of one, but I think that shows my ignorance. That is an area in which I am not familiar.

SENATOR SARCONE: We do recognize the problems of air pollution. We must look in this area for an incinerator that

not only will dispose, but obviously one that is not going to pollute the air.

DR. KANDLE: The other big problem is the mastication or chewing up - whatever the right words are - but they are developing huge machines now which can take demolition materials and a lot of the materials that come in that are not landfill and either grind them or reduce them to pellets and so forth. I saw a truck while I was driving up this morning where they used one of those machines to crush the automobiles, the junked automobiles, and it was about an 18-inch pad. This material is developing, but again this is expensive material, so people have to band together, large areas band together. There is almost none of this banding together in New Jersey now. There are just very small experiments in this area like we used to be on sewage and we are not too well advanced now, but we do have things like the Bergen County Sewer Authority. It certainly solved that problem - well, not entirely solved it - but it is well on the way to being solved by way of a huge operation.

ASSEMBLYMAN BRADY: I am looking, Doctor, at the letter you received from Assemblyman Musto, on page 3. Have you got it there?

DR. KANDLE: No, I don't have it.

ASSEMBLYMAN BRADY: Read that part of it there [indicating to Dr. Kandle a portion of the letter].

DR. KANDLE: This is the kind of thing I was speaking to.

ASSEMBLYMAN BRADY: Of course, we are looking way ahead. In the meantime, this is a serious situation.

SENATOR SARCONE: Assemblyman, may I read the paragraph you pointed out.

ASSEMBLYMAN BRADY: Certainly.

SENATOR SARCONE: Perhaps I should have read Assemblyman Musto's letter. I didn't want to take the time of the Commission and Dr. Kandle to read it at length, but it is part of the record. Assemblyman Brady has pointed to page 3, the fifth paragraph, of the letter to Dr. Kandle wherein Assemblyman Musto states: "It has been suggested to me that, in the absence of an overall program, Hudson County or several of its municipalities jointly should apply to the State (under the provisions of R.S. 12:3-7) for a grant of land in the Meadows for immediate landfill purposes. I would appreciate very much your advice on this proposal." That is the paragraph you are talking about, isn't it, Assemblyman?

ASSEMBLYMAN BRADY: Yes.

DR. KANDLE: I am very sympathetic to that approach. The issue comes as to whether the State will make a grant in the Hackensack Valley for a sanitary landfill. That decision, I gather, has to be made. I am not real sure who is going to make it.

SENATOR SARCONE: Doctor, while we are talking about the Meadowland area, we have before the Legislature for consideration a problem pertaining to titles to land, riparian rights - now this, of course, would come into play here, would it not?

DR. KANDLE: It sure would. That is what the Commission is dealing with as I understand it. This is a very complex

question and the towns haven't been able to reach a common mind. At least, that is my impression. I really haven't any first-hand information. It is a very complex question about who owns the land and for what it shall be used.

SENATOR SARCONE: Of course, Doctor, it is unfortunate that this morning you are the only witness. We realize you are the Commissioner of Health and your area should really be confined to the extent that health is affected by solid waste disposal and we certainly do not expect that you are the one who should furnish us with all the answers to the entire matter.

Assemblyman Brady has handed to me Assembly Bill Number 169 of which he is a sponsor, entitled, "An Act to regulate and license the collection and disposal of solid waste, in order to implement and support a solid waste program in the State Department of Health and to establish an advisory committee to said department," and making an appropriation. We will make it a part of the record and before the hearings are concluded, perhaps the Assemblyman will offer a statement on behalf of his bill or someone will offer a statement. But this won't be done this morning. [See page 43 for A 169]

SENATOR SARCONE: Senator, do you have any questions?

SENATOR KELLY: Yes. Doctor, in your statement you mention, "New methods of handling these materials and the responsibility for their disposal must be placed on the urban redevelopment or building construction project and included in the costs." Now when you say "new methods of handling"

must be developed, can you tell us what you have in mind?

DR. KANDLE: Well, of course, the thing that bothers us most in the sanitary landfill business is the wooden materials and in fact a good bit of this trouble we have had this summer of underground burning is due to the earlier practices of incorporating that stuff in sanitary landfill. It can't be compressed. It just builds ridges in there with air pockets and after it all dried out so badly this summer, it got to burning underneath. It is almost impossible to take these great big pieces of a building or wood and the masonry and everything and do much with it now in the sanitary landfills. It messes up the landfill, but we have no other method at present. But they are developing machines which will chew this stuff up, compress it and dispose of it in a variety of ways and it probably will have to be separated. That is another part of it. And who is going to pay the freight? I think it is like developers who used to not bother about sewage disposal; they just thought - let the town take care of the sewage disposal after they build a development. Now the municipalities generally insist that a developer install sewers and take care of the problem and even build a sewer plant if he needs to and that is part of the cost. I believe that this is the way that this business of clearing cities or tearing down buildings and so forth has to be handled.

SENATOR KELLY: It should be part of the cost of the new construction.

DR. KANDLE: That's right. Now it isn't. They just

get rid of it the best way they can. Any kind of a way goes, just so they get by.

SENATOR KELLY: I notice in the resolution setting up this Commission, Doctor, that one of its duties is to assess the availability to the respective counties and municipalities of land sites suitable to meet this need. I have heard the Hackensack Meadows mentioned. Other than the Hackensack Meadows, would you be familiar with any available sites?

DR. KANDLE: I can't be specific about that. The Department of Conservation and Economic Development have made some studies in this regard and I know that the people over around Plainfield where they have ten towns that are trying to work together on sanitary landfills have explored areas. There are areas. As I mentioned, there are gravel pits. Of course, the problem, as I think you can readily see, is that nobody wants a sanitary landfill in their bailiwick. But they do create ratables and they have created ratables and so this is something that has to be handled. We have to learn to do sanitary landfill work well and then accept it as part of our way of doing business.

SENATOR KELLY: I think, Doctor, that is part of Mayor Musto's appeal to you and Commissioner Roe, as well as this Commission.

DR. KANDLE: Yes. He is in a jam. He hasn't any way of --

SENATOR KELLY: Secaucus has outlawed, as I understand it, the dumping and I think he has some temporary arrangement

with Kearny.

DR. KANDLE: That's right.

SENATOR KELLY: What he is wondering is - assuming that the temporary arrangement with Kearny ends, certainly the county or even his municipality wouldn't have time to build an incinerator and what happens in the interim?

DR. KANDLE: They can't get away with just an incinerator. That is not the answer.

SENATOR KELLY: They still need the landfill.

DR. KANDLE: You have to have the sanitary landfill also. Union City is a perfect example. They are just dependent on their neighbors.

SENATOR SARCONE: Doctor, so we might have the benefit of your opinion in this area, are you stating that where an incinerator is used to effect solid waste disposal, assuming it is one that meets all the standards in connection with air pollution and is the best that we can find up to the present time, in connection with this, we would still have to have land for fill?

DR. KANDLE: Yes. You can't put everything in an incinerator. Anyhow you have to take the residue from the incinerator. Almost all incinerators operate a landfill nearby, smaller, of course, but they still have to do it.

SENATOR KELLY: Doctor, whether or not the Hackensack Meadows can be used, I think as you just mentioned, is involved in this matter of the Meadowlands Commission.

DR. KANDLE: It is the most urgent problem in this area in solid waste disposal in my opinion.

SENATOR KELLY: And until some decision is made there, we won't know whether any land is available in the Hackensack Meadows.

DR. KANDLE: That's correct. That is one reason that we developed this ordinance. We hoped that we could stem the tide in this area of outlawing sanitary landfills. We think that sanitary landfills can be operated and this ordinance is the kind of thing that gives you control so sanitary landfills can be operated. We would hope that some of the municipalities might change their minds, some of those who have decided to go out of the business.

SENATOR KELLY: When you mention sanitary landfills, Doctor, does this include a word I have heard very often with regard to this problem "composting"?

DR. KANDLE: No, sir. I haven't discussed composting.

SENATOR KELLY: Would you for a minute?

DR. KANDLE: I am not an expert in this field and I suppose I have built up prejudices because I have never seen it work in this part of the world and the research that we have done is that this is not a method which is applicable to our part of the world. It takes a large amount of space and can't be used for all kinds of materials and it just isn't a very practical method in the kind of volumes that we have. That is my opinion.

SENATOR KELLY: What is it, Doctor, I mean?

DR. KANDLE: Basically it is a method of using bacteria to break down the materials; that is, you layer the stuff into the ground just like you put your weeds and your leaves and your

garbage into a pit in your backyard and layer it and inoculate it with bacteria and let the bacteria do the work of breaking this stuff down. If you do it right, you come out with some nice material for using in your garden. But when you talk about the volumes that we have and the land that we don't have and the fact that the method has considerable limitations on its use, I just don't see it, but I would be willing to be shown.

ASSEMBLYMAN BRADY: Doctor, there are compost plants though, aren't there, around the country somewhere?

DR. KANDLE: Yes, sir.

ASSEMBLYMAN BRADY: But you haven't visited any?

DR. KANDLE: I have not personally visited them.

ASSEMBLYMAN BRADY: Has anybody in your Department visited any of them?

DR. KANDLE: I know Mr. Lipman has. John, have you visited any?

MR. ZEMLANSKY: Yes, I did, in Altoona.

DR. KANDLE: And there was one down in Arizona.

MR. ZEMLANSKY: Arizona Biochemical is defunct.

ASSEMBLYMAN BRADY: There is one in Jamaica too.

MR. ZEMLANSKY: The one in Jamaica was the original McKeesport operation which failed in McKeesport.

ASSEMBLYMAN BRADY: And it is operating now in Jamaica?

MR. ZEMLANSKY: I don't know whether it is working in Jamaica now or not. I know that it was redesigned to work in Jamaica.

SENATOR SARCONE: You have spoken before and you have added something to the hearing so I thought perhaps we ought

to have your name for the record.

MR. ZEMLANSKY: John Zemlansky and I am with the New Jersey State Department of Health as Principal Sanitarian.

DR. KANDLE: He is the expert on sanitary landfill in New Jersey.

ASSEMBLYMAN BRADY: For the record, many disagree with him.

SENATOR SARCONE: What - that he is an expert?

ASSEMBLYMAN BRADY: He was over in Hudson County.

SENATOR SARCONE: You mentioned the Arizona plant. Doctor, I do know that the City of Newark was considering this as a possibility and I recall that some of the members of the governing body did go down to review it. My recollection is that when they got there, however, it was not in operation. I don't know what the official conclusion was.

DR. KANDLE: The only record that I have is that the thing isn't working. That it quit.

SENATOR SARCONE: You don't know the reasons?

DR. KANDLE: I do not.

SENATOR SARCONE: Is this the system whereby some valuable material was taken to be used for fertilizer and the like?

DR. KANDLE: Yes, that is the theory.

SENATOR SARCONE: Doctor, you have mentioned that there has been a vast improvement since 1958 in connection with the control of smoke and odor which hung over the Hackensack Meadows. Just briefly, what was it that was occurring up to that time and what is it that you have done since then to

improve the situation?

DR. KANDLE: I am speaking now -- I confess I wasn't in this area very much before, say, in the early '50's, but my people keep telling me about it, that there was a pall of smoke and stink which hung over the meadows almost continuously or at least on very many days. I think that part of it that was from open burning has been substantially eliminated. I don't say there is no open burning. Occasionally there is. And this was brought about by the bill which was passed, the State bill, and Chapter VIII of the Sanitary Code, which eliminated dumps and insisted on sanitary landfills and got rid of this thing. May I point out, Senator, that there is a special problem up here where we have fog and so forth and that is due to a climatological problem in this area, that is, the Hackensack Valley, and it gets confused with burning. We have had to spend a lot of time on this with the experts in climatology and they tell us that because of the ridge and the way the valley is geologically, this is the reason for those serious fogs. They have told me at any rate that the smoke bad as it is and the air pollution is a relatively minor factor. Don't misunderstand me. It doesn't deter me from pressing hard to get rid of it. But the real issue was, you know, what are the basic things that close the Turnpike down, for example?

SENATOR SARCONE: Doctor, you have entered on the record your recommendation of a proposed model ordinance entitled, "An Ordinance Relating to Disposal of Garbage and Refuse by

Sanitary Landfill Requiring Licenses for the Use of Premises for Purposes of Garbage or Refuse Disposal, and Fixing Penalties for Violations." You recommend that this be adopted for municipalities having landfill operations; is that correct?

DR. KANDLE: Yes, sir.

SENATOR SARCONE: And you have indicated in your written statement this embodies a number of principles which will probably be necessary parts of new broader legislation. You mean by our State Legislature, I would presume.

DR. KANDLE: Yes.

SENATOR SARCONE: They include: "(1) revocable license required." Would you just briefly, Doctor, touch upon each of the five points?

DR. KANDLE: It is the "revocable" that is the key word there. That is, a man gets a license, but you can take it away from him if he doesn't comply and he has to comply with the plan he submits. He submits a plan of operation and he has to comply with it. If he doesn't, you can take his license away and he is not in business and it can be done by the municipality. The other two points are that he has to place a performance bond and that if he doesn't meet that, they have a way at getting at him from an economic pressure point of view and these two factors we think would materially get better control. Under Chapter VIII it is a fairly long procedure and you can only get a fine out of it anyway.

SENATOR SARCONE: Three is "a detailed application providing details of operation required."

DR. KANDLE: It is an engineering plan and, in other words,

he says what he is going to do, how much front he is going to have, how much he is going to cover, the whole technique of sanitary landfill, and he spells it out before he opens. Then he has to comply with his own plan. The plan has to be satisfactory, of course.

SENATOR SARCONE: "Control of highly flammable wastes."

DR. KANDLE: That is a tremendous problem around here because industry puts it over on the sanitary landfill people. If they possibly can, they stick their chemicals in all sorts of containers and stick them in with other things and hard as the sanitary landfill people try, they get stuck with this stuff. Some of it is highly flammable, very dangerous, and we have to have some entirely new methods. Sanitary landfill isn't the place to dispose of this stuff anyway. So it has to be separated out and that costs more. These things have to be regulated. This will be a prohibition in this case. It doesn't solve the problem; it just helps to control the fires.

SENATOR SARCONE: Well then, would you consider in this area restrictions on the industry as well?

DR. KANDLE: This has to be on a broader base. This thing controls the sanitary landfill. That is why I say there is not now a system that would be broad and maybe the county or maybe the State would have to say what industry has to do to dispose of this kind of chemical waste. Nobody has even hardly thought of such legislation.

SENATOR SARCONE: In other words, today there is nothing that would preclude an industry from turning over to a concern

which is disposing of solid waste something which is highly inflammable?

DR. KANDLE: That's right.

SENATOR SARCONE: "Insurance for contractor's liability" - I believe that speaks for itself.

You refer to New York's hauling refuse by barges and this has apparently been successful?

DR. KANDLE: That is only a method of transportation. They do dispose of it by barging it out in the ocean. I am not discussing that. This was a method of transportation. I just used it as an illustration of another method of transportation; that is, people talk about how many miles you are going to haul stuff. Well, it is possible nowadays to pack this material and have these transfer stations. I have heard Mr. Lipman say if it were necessary, he could haul the stuff to Cape May. It would be possible; it may not be economically feasible. Am I quoting you correctly, Al?

ASSEMBLYMAN BRADY: Incidentally, Mr. Chairman, this is Mr. Alfred Lipman, and he is one of the sponsors of this Rutgers University course on solid waste collection and disposal. Did you want to answer his question?

DR. KANDLE: I was probably misquoting Mr. Lipman.

MR. LIPMAN: No. I think that most of our problems can be answered by just such hearings as this one today and such cooperation and supervision as the State has given us. There has been a considerable misconception of this industry in the eyes of the public and with public acceptance and public relations, it is my contention, having studied this

thing as a member of the State Planning Board back in '35 - we had a report - and subsequent to that as an active member of this business - there are in excess of two million acres of land in the State of New Jersey which are available. And it shouldn't create a problem if public acceptance is created. The only problems you have at the present time are your municipal boundaries. For example, you mentioned Secaucus. Secaucus has over the years been aided by the landfills which are in there and creating valuable industrial lands. The piggeries are, as we know, no longer a factor over there, so a properly conducted landfill would be an asset in creating industrial lands and play areas and potential school areas and everything else in a great many of the cities. It is just a matter of public acceptance and understanding, which until your Department actively got in the picture, was an unknown quantity.

Today I think the people are beginning to understand the problem and understand the feasibility of it.

The composting plant that you referred to - the only one that is supposedly in the black that I know of is the one in Tel Aviv and that is superimposed on a different economy than our economy here. The land is so poor that anything would be an improvement. So their end product can be sold. But at the present time I don't know of any composting plant in the United States which can be on an economically-sound basis.

Incineration in the opinion of some of the so-called experts that I have contacted still has something to be desired and it could be that in the next four or five years with our

atomic age on top of us that our concept of incinerators is obsolete or could be obsolete. So it would appear that the State of New Jersey, if they want to protect their industry, because you can't constipate industry any more than you can preclude the people from dumping their disposal in the State, has got to go to sanitary landfill. If you will just look at the map - I made an assertion in your office, Doctor, that there is no city in the State of New Jersey that with acceptance by a municipality could not dispose of their garbage within fifteen miles of their borders.

SENATOR SARCONE: Mr. Lipman, I thank you for what you are adding. Do you intend to appear before the Commission?

MR. LIPMAN: I would be very happy to.

SENATOR SARCONE: Fine. I want to try to conclude this hearing --

MR. LIPMAN: I didn't want to answer at great length, but --

SENATOR SARCONE: Fine.

MR. LIPMAN: This bill answers a lot of questions.

SENATOR SARCONE: I would hope that we have the benefit of an explanation of Assemblyman Brady's bill and anything you might add. I was attempting to conclude with Dr. Kandle, if I may, this morning.

Doctor, I would hope that within the very near future, we will have the benefit of your recommendations with respect to the Federal bill, Senate 306, after you have reviewed and analyzed the final bill.

DR. KANDLE: We haven't seen the last one.

SENATOR SARCONE: We are all looking forward to this.

Doctor, you make reference to the fact that other countries do a better job in the areas of -- Let's see. I don't want to misstate what you have said. Perhaps I had just better read here from page 7. You state: " ** part of this problem is the affluence of this country and our culture. There is tremendous waste in our living, industrial and building practices and little conservation and re-use. The characteristics of the refuse has changed greatly in the last few years. Other countries do a better job in these areas than we do. Waste is an ethical issue."

DR. KANDLE: Well, I guess that is my Calvinism speaking out.

SENATOR SARCONE: Will you just explain. You say other countries do a better job than we do.

DR. KANDLE: We throw everything away. If we want to get rid of a building, we tear it down; you know, just knock it down. That is not the way other people do it. Of course, if we want to play that way, we will have to pay the price. That is exactly what we are into with the tremendous amounts of material that are now thrown away by every person and every industry.

ASSEMBLYMAN BRADY: On the garbage question, can you elaborate a little more. You say other countries do a better job - for instance, Central Europe - how?

DR. KANDLE: Well, first of all they do a good deal of re-use. They don't throw everything away. They will re-use

materials - wood and all such materials. They clean bricks and all that kind of thing and they have perfected their techniques of sanitary landfill, I think, sometimes better than we have done. Of course, they don't have much land and they have been forced into it. But they do it and, of course, they have some systems of paying for it.

ASSEMBLYMAN BRADY: Mr. Chairman, maybe we had better look into this further. If what Dr. Kandle tells us is true, maybe we will learn something.

DR. KANDLE: There is a good deal to be learned.

SENATOR SARCONE: Doctor, if you can give us the benefit of more details, we would appreciate it.

DR. KANDLE: I will try to, but this is somewhat philosophical. Take the Ruhr Valley. Let me use one I am more familiar with. The Ruhr is a reasonably clean industrial river. When I say clean, I mean it is not rotten. It is a fairly good industrial river and they have managed that because they have tight control over all the affluents going into it and they put the cost back on the municipalities, but it is a river-long planning. I mean, this town doesn't plan and this town and this town. It is a broad river thing. So it is on a broad base and people can afford to pay for it and they have to. It is the only way they can live. They wouldn't be there if they didn't do that and they have done that kind of thing with regard to solid waste.

SENATOR SARCONE: I would like, if I may, to conclude with Dr. Kandle within the next few minutes. Are there any questions?

The Doctor is coming back.

SENATOR KELLY: Let me ask you, Doctor: As of now, what in your opinion is the prime problem with respect to this matter we are discussing this morning, the most immediate to solve it, what must be done first?

[Assemblyman Brady shows paper to Dr. Kandle.]

DR. KANDLE: Yes, that is a good approach.

SENATOR KELLY: Well, you indicate incineration is necessary as well as landfill - both. They are not exclusive, one of the other.

DR. KANDLE: That's correct.

SENATOR KELLY: In other words, you recommend that a group of municipalities or all of the municipalities of a particular county cooperate in building an incinerator plant.

DR. KANDLE: Yes, sir, I think we are going to come to that. I don't think we are going to come to it tomorrow or next year because we don't have the design that suits us. But I believe this is one of the things that is going to happen. It seems to me this is a good approach; that is, if a piece of land were dedicated by the State in the Hackensack Valley for sanitary landfill and then we insist a good sanitary landfill be run there, that would keep us in business for quite a while. This is so complex. That is why I am having trouble answering you.

SENATOR KELLY: You come to the problem then of the site.

DR. KANDLE: That is an important issue up here now. That is what Musto is talking about.

SENATOR KELLY: But as Mr. Lipman said, it is a matter of getting the public to accept this.

DR. KANDLE: Municipalities have the zoning power, so they are in control.

ASSEMBLYMAN BRADY: How about the counties?

DR. KANDLE: Counties could do it. Bergen County runs a landfill.

SENATOR SARCONE: Well, Doctor, I want to thank you for appearing. You certainly have given us the benefit of much knowledge. I would hope that you would appear at the request of the Commission should we desire anything further.

DR. KANDLE: I would be happy to.

SENATOR SARCONE: Thank you, Doctor.

I understand that present in the room today are representatives of various groups and in order that we might recognize the fact that you are here, I was wondering if those of you who are here in a representative capacity or an individual capacity, would give to Mr. Applebaum your name and address and if you are here in a representative capacity, the organization you represent. Would you also indicate whether you would like to testify at a future public hearing or rather than testifying if you desire to submit a written statement. We will announce the next public hearing date. At that time I do hope we will have the benefit of Commissioner Roe's testimony and thereafter, we will commence hearing the citizens generally.

I want to point out that we are trying to proceed in an objective way with an open mind. We want to study this problem.

No member of this Commission has any preconceived notions. We have been appointed to this Commission and we are trying to do our job to the best of our ability. We hope you will feel free to communicate with me or Mr. Applebaum or Mr. Alito at the State House in Trenton if you have any questions as to future hearings and we will be most pleased to cooperate.

C O P Y

August 31, 1965

Honorable Robert A. Roe
Commissioner
Department of Conservation and
Economic Development
Labor and Industry Building
John Fitch Way Plaza
Trenton, New Jersey

Dear Commissioner:

As an Assemblyman from Hudson County and as Mayor of Union City, I respectfully invite your cooperation and leadership, as Commissioner of the New Jersey Department of Conservation and Economic Development, and the cooperation and leadership of the Honorable Roscoe P. Kandle, Commissioner of the Department of Health, in developing an overall State program to meet our immediate and long-range needs regarding the disposal of solid wastes.

I believe that the disposal of solid waste is now, or will very soon become, a critical problem in many areas of our State, particularly in the populous northeastern part of New Jersey, and this suggests to me the essential need now for a thoroughgoing study at the State level and the development of a comprehensive State plan. Because of the nature of this problem as I understand it, its interrelationships with our current and proposed State programs and goals in the areas of air pollution, water pollution and land use, particularly in the Hackensack Meadowlands, our rapid rate of population growth, and the present limited state of our knowledge and technology in this area, I believe it is a legitimate concern of State government and calls for leadership by both the executive and legislative branches.

Honorable Robert A. Roe
Trenton, New Jersey

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August 31, 1965

As you know, over 100 northeastern New Jersey and New York municipalities now deposit over 9 million cubic yards of solid wastes annually at various land fill sites in the Meadowlands, filling, after compaction, 150 acres. While it seems to me that the Meadowlands can be utilized to meet the land fill needs of this area in the immediate future, these sites are not limitless, and, when these locations are no longer available, the affected municipalities will find it extremely difficult to find new locations. Expansion of present sites and the acquisition of new sites in this area meet with resistance from the receiving and adjacent municipalities, but perhaps this resistance may be eliminated or alleviated by changed health and nuisance standards regulating sanitary land fills. Furthermore, those agencies now concerned with the reclamation and development of these Meadowlands have projected tentative and general plans which appear to limit seriously the future use of this area for waste disposal purposes. This brief description of the present problem confronting many municipalities in this part of the State also suggests the immediate consideration of alternate methods of solid waste disposal as an integral part of a long-range solution.

Our solid waste disposal problem is a serious and difficult one. I see no easy answer now. And because of these, I believe that we should speed up and increase our joint and coordinated efforts to develop both a short-range and a long-range State plan. Not to do so, I believe, will encourage the development of piece-meal programs and legislation which may not fit in with, and, indeed, deter, the adoption of a sensible over-all program.

I am happy to note that both the Department of Health and the Department of Conservation and Economic Development are planning conferences on this critical problem this year, and I trust that they will alert the public to our needs, help us define the problem more exactly, and, hopefully, suggest practical solutions. I am also happy to note that the Department of Health has recently developed a model ordinance regulating the disposal of garbage and refuse and this should assist materially in accomplishing the objectives of our State Sanitary Code.

As you know, the Legislature has established a joint legislative commission to study the problem of solid waste disposal (ACR 36, 1965). This

Honorable Robert A. Roe
Trenton, New Jersey

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August 31, 1965

commission, comprised of 4 Senators and 4 Assemblymen, must rely heavily on your Department's technical and professional advices and recommendations, and I know that, as always, your Department will lend its fullest cooperation. I know that your Department is now faced with a number of critical problems, but I would suggest that the subject problem is one that should receive a high priority.

As Mayor of one of the densely populated municipalities in the Nation, I am particularly and immediately concerned. Currently, Union City utilizes privately-owned dumping grounds located in the Hackensack Meadows for solid waste disposal. In this regard, we are not unlike other North Hudson County municipalities whose municipal boundaries are not contiguous to the Hackensack Meadows or any other vacant land areas.

The question of how long and to what extent Union City will be permitted to continue to use this or similar areas for land fill purposes is a matter of grave and immediate concern and cannot be left to conjecture much longer.

Incineration of solid waste matter may be a partial solution to our problem. However, provisions for this type of disposal will require time, perhaps as much as 10 years. It is quite possible that the facilities now available to us will cease to be available long before an incineration program could be completed. In addition, incineration within the municipal boundaries of Union City may not be feasible and poses its own serious threat of air pollution.

I am inclined to believe that the continued use of the Hackensack Meadows for Union City waste disposal is essential, at least on a temporary basis, while a permanent program to meet this problem is being developed. Such use should not be inconsistent with the development of the Meadows and could be of material assistance in the reclamation of these areas for more valuable uses, if properly conducted in accordance with the standards for waste disposal established by the State Department of Health.

It has been suggested to me that, in the absence of an overall program, Hudson County or several of its municipalities jointly should apply to the State (under the provisions of R. S. 12:3-7) for a grant of land

Honorable Robert A. Roe
Trenton, New Jersey

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August 31, 1965

in the Meadows for immediate land fill purposes. I would appreciate very much your advice on this proposal.

Please be assured of my cooperation in developing an overall waste disposal program and I trust that I may hear from you concerning your present and future plans in this regard.

Sincerely yours,

William V. Musto

C O P Y

August 31, 1965

Honorable Roscoe P. Kandle
Commissioner, Department of Health
Health Agriculture Building
John Fitch Way Plaza
Trenton, New Jersey

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Honorable Roscoe P. Kandle
Trenton, New Jersey

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August 31, 1965

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Honorable Roscoe P. Kandle
Trenton, New Jersey

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August 31, 1965

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It has been suggested to me that, in the absence of an overall program, Hudson County or several of its municipalities jointly should apply to the State (under the provisions of R. S. 12:3-7) for a grant of land in the Meadows for immediate land fill purposes. I would appreciate very much your advice on this proposal.

Honorable Roscoe P. Kandle
Tranton, New Jersey

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August 31, 1965

Please be assured of my cooperation in developing an overall waste disposal program and I trust that I may hear from you concerning your present and future plans in this regard.

Sincerely yours,

William V. Musto

ASSEMBLY, No. 169

STATE OF NEW JERSEY

INTRODUCED JANUARY 25, 1965

By Assemblyman BRADY

Referred to Committee on Institutions, Public Health and Welfare

AN ACT to regulate and license the collection and disposal of solid waste in order to implement and support the solid waste program of the State Department of Health and to establish an advisory committee to said department, and making an appropriation.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. In order to protect the public health, all operations for the collection
2 and disposal of solid waste shall be conducted in accordance with the provi-
3 sions of the State Sanitary Code. No person, firm, corporation, municipality,
4 or other government agency shall engage in the collection or disposal of solid
5 waste without first obtaining a license issued by the Department of Health
6 authorizing such activity. Separate licenses shall be required for the estab-
7 lishment, maintenance and conduct of solid waste collection and solid waste
8 disposal operations.

1 2. For the purpose of this act the term "solid waste" means and includes
2 animal and vegetable waste solids resulting from the handling, preparation,
3 cooking and consumption of foods, yard trimmings, rags, waste wood, card-
4 board and other combustible waste solids of a nonvolatile or explosive nature
5 and all solid waste material which does not burn.

1 3. Every municipality or other government agency and every person, firm
2 or corporation engaged in the collection and disposal of solid waste or either

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

3 of such operations shall make application to the Department of Health for a
 4 license or licenses for such operation upon forms to be prescribed and sup-
 5 plied by the Department of Health accompanying such applications with the
 6 fees in this act prescribed. Licenses shall be renewable annually. License ap-
 7 plications shall disclose the manner and method of operation, equipment,
 8 plant, experience, financial responsibility, and such other matters relating to
 9 the identity and ability of the applicant to perform such operations as shall
 10 be prescribed by rules and regulations of the Department of Health. Separate
 11 application forms shall be prescribed for licenses to be issued to a munici-
 12 pality or government agency.

1 4. The following annual licenses fees shall be payable to the Department
 2 of Health and by it remitted to the State Treasury:

- 3 a. Solid waste collection \$100.00
- 4 b. Solid waste disposal \$200.00
- 5 c. Municipal or other government agency-operated
- 6 solid waste collection No Fee
- 7 d. Municipal or other government agency-operated
- 8 solid waste disposal No Fee

1 5. Each vehicle used by a licensee, other than a municipality or other
 2 government agency for the collection of solid waste shall be licensed by the
 3 Department of Health at an annual fee of \$10.00.

1 6. During the first year in which licenses are issued under this act the
 2 Department of Health is authorized to issue conditional licenses, conditioned
 3 upon the licensee effecting specified additions, changes or improvements in
 4 methods of operation and equipment.

1 7. The use of vehicles other than compactor-type and containerized equip-
 2 ment for the regular collection of domestic, commercial and industrial solid
 3 waste is prohibited. Licensed open-type trucks may be used for the collection
 4 of large or bulky materials, building materials, tree stumps, leaves and trim-
 5 mings, special collection operations, such as those conducted in connection with
 6 "cleanup week" and for collection of other debris not suitable for loading or

7 transport in compactor-type vehicles. All open-type trucks shall be equipped
8 with a tarpaulin cover or other protective device to prevent littering.

1 8. All solid waste shall be disposed by means of a licensed solid waste
2 disposal operation, i. e., sanitary landfill, incinerator or other approved means.

1 9. Littering of refuse promiscuously on public or private property is
2 prohibited and constitutes a violation of this act.

1 10. Nothing in this act shall affect the right of any municipality to enact
2 and enforce ordinances (a) regulating the licensing of refuse collectors or
3 contractors, (b) regulating the method of collection or disposal of refuse, or
4 (c) to control littering.

1 11. To assist in the State supervision of operations relating to the collec-
2 tion and disposal of solid waste there is hereby established in the State De-
3 partment of Health an advisory committee to the department to consist of
4 6 persons to be appointed by the commissioner. One member shall be an
5 official or employee of a municipality which performs its own solid waste
6 collection as a governmental function; one member shall be a person actively
7 engaged in the business of solid waste collection by contract; one member
8 shall be an official or employee of a municipality which performs its own solid
9 waste disposal as a governmental function; one member shall be a person
10-14 actively engaged in the business of solid waste disposal by contract; and 2
15 shall be citizens having no business interest or official connection with any
16 phase of the solid waste industry. Members shall be appointed for terms of
17 3 years, except that of the members first appointed 2 shall be appointed for
18 terms of 1 year, 2 for terms of 2 years and 2 for terms of 3 years, to be
19 designated by the commissioner. Members of the advisory committee shall
20 serve without salary or compensation but shall be entitled to reimbursement
21 for their expenses incurred in performance of their duties.

1 12. It shall be the duty of the advisory committee to draft and recom-
2 mend just and reasonable standards of operation and practices of service to
3 be observed in connection with all solid waste collection and disposal opera-
4 tions. The advisory committee is authorized to engage in studies and make

5 investigations concerning all aspects of solid waste collection and disposal.
6 The advisory committee shall make annual and such other reports at the re-
7 quest of the Department of Health.

1 13. The department shall have the power to issue subpoenas to compel the
2 attendance of witnesses and the production of documents, papers, books,
3 records and other evidence before it in any matter over which it has
4 jurisdiction, control or supervision. The department shall have the power to
5 administer oaths and affirmations to persons whose testimony is required.

1 14. If a person subpoenaed to attend in any such proceeding or hearing
2 fails to obey the command of the subpoena without reasonable cause, or if a
3 person in attendance in any such proceeding or hearing refuses, without law-
4 ful cause, to be examined or to answer a legal or pertinent question or to
5 exhibit any book, account, record or other document when ordered so to do by
6 the director, the director may apply to any judge of the Superior Court, upon
7 proof by affidavit of the facts, for an order returnable in not less than 2 nor
8 more than 10 days, or as the court shall prescribe, directing such person to
9 show cause before the court why he should not comply with such subpoena or
10 such order.

1 15. Upon return of the order, the court before whom the matter shall
2 come on for hearing shall examine such person under oath, and if the court
3 shall determine, after giving such person an opportunity to be heard, that he
4 refused without legal excuse to comply with such subpoena or such order of
5 the director, the court may order such person to comply therewith forthwith
6 and any failure to obey the order of the court may be punished as a contempt of
7 the Superior Court.

1 16. Any person who shall violate any provision of this act or any order,
2 rule or regulation issued pursuant thereto, which is not specifically included
3 in provisions of the State Sanitary Code, or who shall engage in the collection
4 or disposal of solid waste without being licensed so to do shall be liable to a
5 penalty of not more than \$50.00 for a first offense, not less than \$50.00 or more
6 than \$100.00 for a second offense and not less than \$100.00 or more than

7 \$200.00 for a third and every subsequent offense. The penalties herein pro-
8 vided shall be enforced by summary proceedings instituted by the division in
9 the name of the State in accordance with "the Penalty Enforcement Law"
10 (N. J. S. 2A:58-1 et seq.).

1 17. There is hereby appropriated to the State Department of Health, for
2 the purposes of administering this act to June 30, 1966, the sum of \$50,000.00.

1 18. The first license year under this act shall commence on the first day
2 of the calendar month occurring next after 180 days from the effective date of
3 this act.

1 19. This act shall take effect immediately but no proceedings for the en-
2 forcement thereof shall be instituted until after the commencement of the first
3 license year hereunder.

