

[First Reprint]

ASSEMBLY, No. 4547

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED SEPTEMBER 22, 2022

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District 22 (Middlesex, Somerset and Union)

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District 18 (Middlesex)

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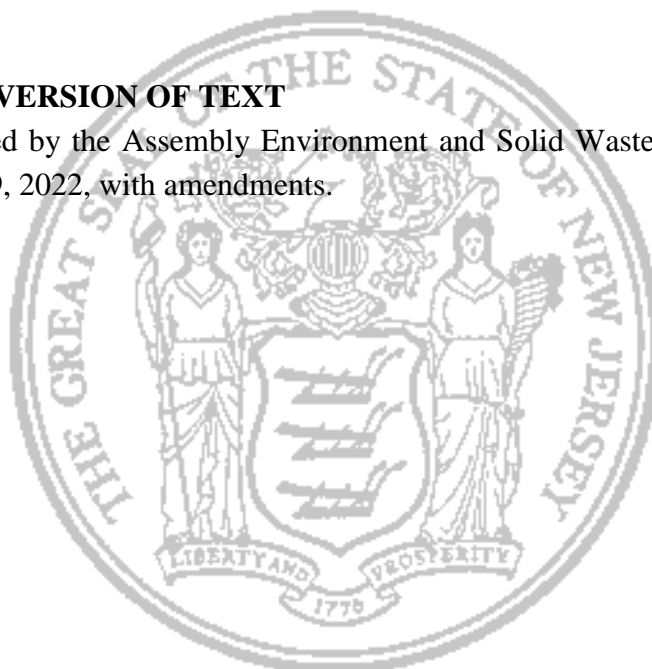
Assemblywoman McKnight

SYNOPSIS

Exempts community gardens operating on-site composting systems or other systems of managing organic waste from certain DEP permits under certain conditions.

CURRENT VERSION OF TEXT

As reported by the Assembly Environment and Solid Waste Committee on September 29, 2022, with amendments.



(Sponsorship Updated As Of: 6/30/2023)

1 AN ACT concerning permits for certain community gardens and
 2 supplementing Title 13 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
 5 of New Jersey:

6

7 1. a. Notwithstanding any law, rule, or regulation to the
 8 contrary, a community garden that operates an on-site composting
 9 system ¹, or other on-site system of managing organic waste in
 10 accordance with the Department of Environmental Protection's
 11 standards for recycling,¹ shall not be required by the Department of
 12 Environmental Protection to obtain a permit, approval, or other
 13 authorization issued by the department pursuant to the "Solid Waste
 14 Management Act," P.L.1970, c.39 (C.13:1E-1 et seq.), the "New
 15 Jersey Statewide Mandatory Source Separation and Recycling Act,"
 16 P.L.1987, c.102 (C.13:1E-99.11 et al.), the "Air Pollution Control
 17 Act (1954)," P.L.1954, c.212 (C.26:2C-1 et seq.), or the "Water
 18 Pollution Control Act," P.L.1977, c.74 (C.58:10A-1 et seq.), or any
 19 rules or regulations adopted pursuant thereto, for the operation of
 20 the on-site composting system provided that:

21 (1) the ¹**【**property on which the composting system is located is
 22 exclusively used as a community garden;

23 (2) the composting system only uses vegetative waste generated
 24 by the community garden **】** system accepts no more than 200 gallons
 25 per week of source separated food waste, except that a community
 26 garden located on property that is 5,000 square feet or larger in size
 27 may accept source separated food waste in an amount equal to 200
 28 gallons per week per 5,000 square feet of property¹ ; and

29 ¹**【**(3)**】** ¹(2)¹ all compost generated from the ¹**【**composting**】**¹
 30 system is used on-site exclusively for the community garden ¹,
 31 except that such compost may be given away or offered for sale in
 32 accordance with the requirements of the Department of
 33 Environmental Protection providing for the disposition of processed
 34 Class C recyclable materials¹ .

35 b. As used in this section ¹**【**, "community**】** :

36 "Community¹ garden" means any publicly or privately owned
 37 piece of land maintained and cultivated as a garden by members of
 38 the surrounding community.

39 ¹"Food waste" means the same as the term is defined in section 1
 40 of P.L.2020, c.24 (C.13:1E-99.122).

41 "Source separated" means the same as the term is defined in
 42 section 1 of P.L.2020, c.24 (C.13:1E-99.122).¹

43

44 2. This act shall take effect immediately.

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AEN committee amendments adopted September 29, 2022.