

ASSEMBLY ENVIRONMENT AND SOLID WASTE  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 4547**

with committee amendments

**STATE OF NEW JERSEY**

DATED: SEPTEMBER 29, 2022

The Assembly Environment and Solid Waste Committee reports favorably Assembly Bill No. 4547 with committee amendments.

This bill, as amended by the committee, would exempt a community garden that operates an on-site composting system, or other on-site system of managing organic waste in accordance with the Department of Environmental Protection's (DEP) standards for recycling, from any permits required by the DEP pursuant to the "Solid Waste Management Act," P.L.1970, c.39 (C.13:1E-1 et seq.), the "New Jersey Statewide Mandatory Source Separation and Recycling Act," P.L.1987, c.102 (C.13:1E-99.11 et al.), the "Air Pollution Control Act (1954)," P.L.1954, c.212 (C.26:2C-1 et seq.), or the "Water Pollution Control Act," P.L.1977, c.74 (C.58:10A-1 et seq.), or any rules or regulations adopted pursuant thereto.

To be eligible for the exemption provided by the bill: (1) the system may not accept more than 200 gallons per week of source separated food waste, except that a community garden located on property that is 5,000 square feet or larger in size may accept source separated food waste in an amount equal to 200 gallons per week per 5,000 square feet of property; and (2) the compost generated from the system is to be used on-site for the community garden or be given away or offered for sale in accordance with the requirements of the DEP providing for the disposition of processed Class C recyclable materials.

As defined in the bill, "community garden" means any publicly or privately owned piece of land maintained and cultivated as a garden by members of the surrounding community.

COMMITTEE AMENDMENTS

The committee amendments to the bill:

- 1) expand the bill to apply to a community garden that operates an on-site composting system or other on-site system of managing organic waste in accordance with the DEP's standards for recycling;
- 2) revise the criteria to qualify for an exemption under the bill to:

(a) delete the requirements that the property on which the composting system is located be used exclusively as a community garden and that the composting system only use vegetative waste generated by the community garden; and

(b) provide that (1) an eligible system under the bill may not accept more than 200 gallons per week of source separated food waste, except that a community garden located on property that is 5,000 square feet or larger in size may accept source separated food waste in an amount equal to 200 gallons per week per 5,000 square feet of property, and (2) the compost generated may be given away or offered for sale in accordance with DEP's requirements providing for the disposition of processed Class C recyclable materials; and

3) add definitions for the terms "food waste" and "source separated."