New Jersey's Disaster Debris Tool Kit

Are you ready for the next storm?

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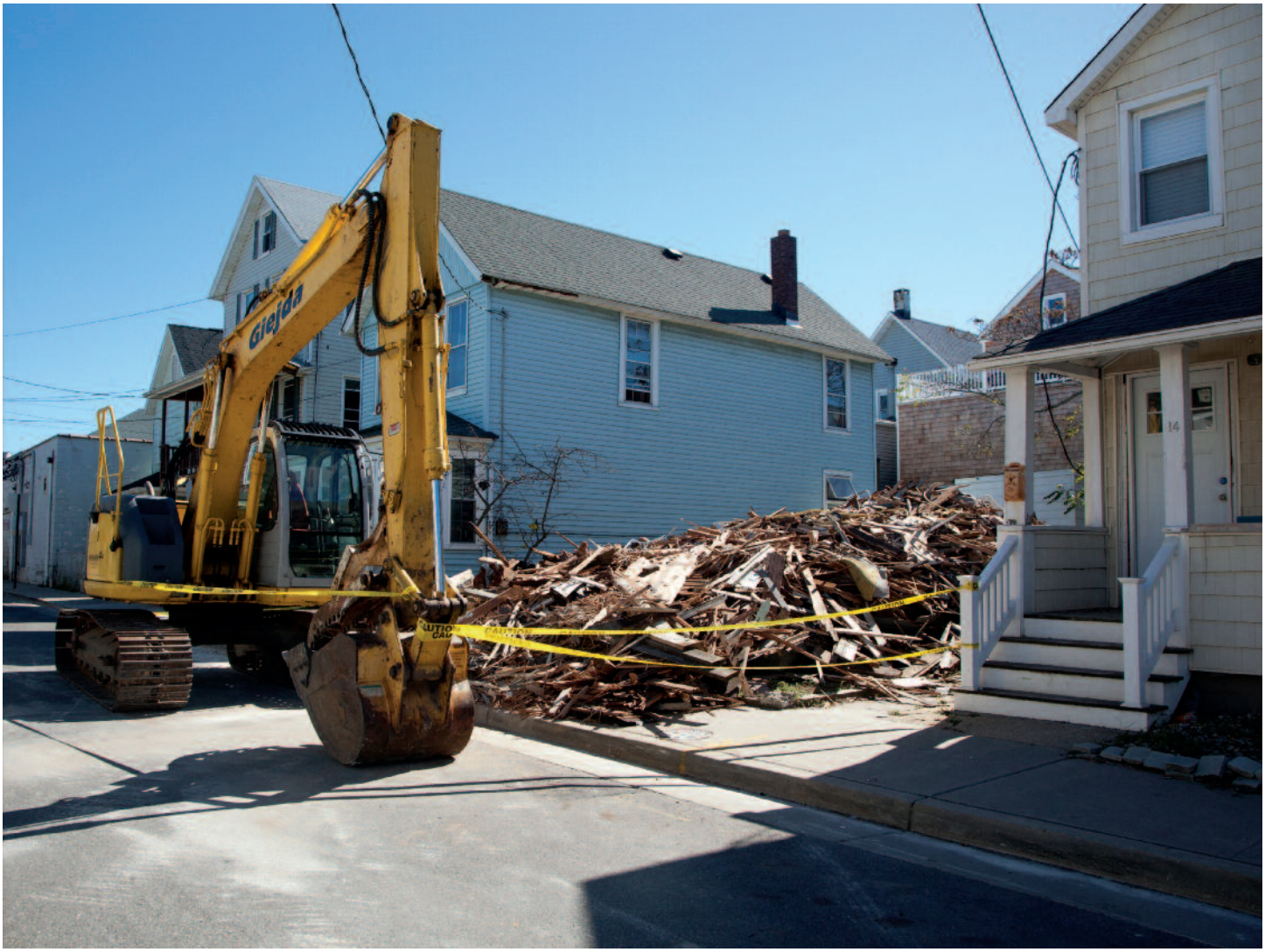
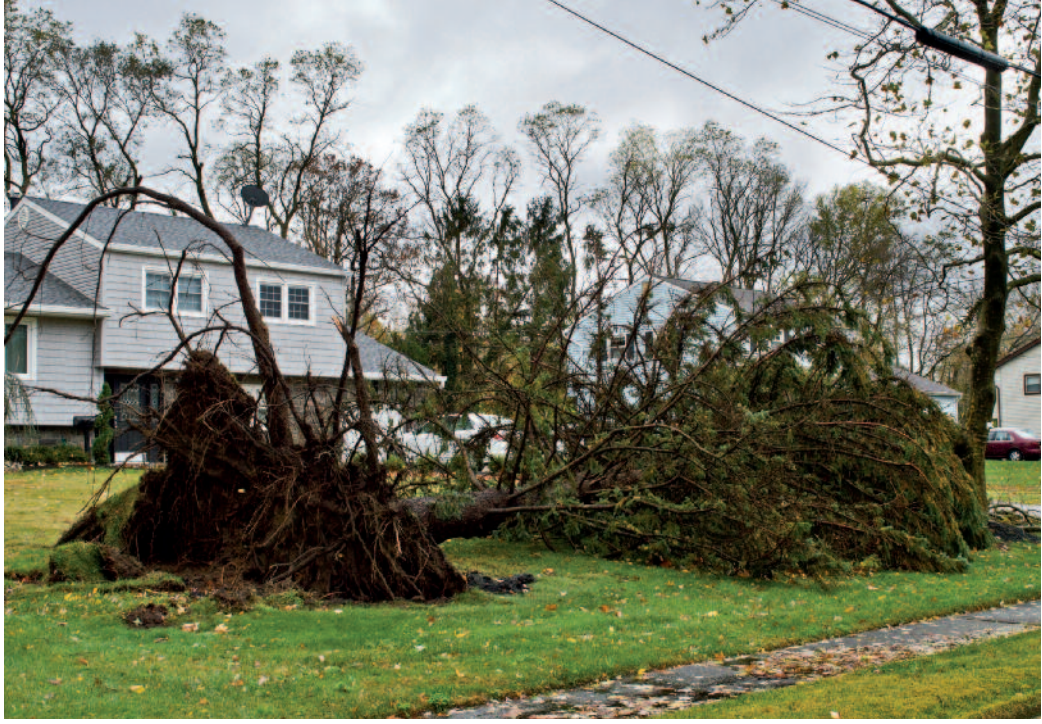


On October 29, 2012, Superstorm Sandy barreled into New Jersey with unexpected force and generated over 8 million cubic yards of debris across New Jersey's hardest hit counties. This spring, several successive nor'easters left huge amounts of vegetative debris on the ground in the Garden State.

Disaster debris management is a critical step in recovery from a natural disaster, and effective management begins long before the event takes place. As the number and scale of natural disasters increases because of climate change, planning for disaster debris management is more important than ever. While the New Jersey Department of Environmental Protection (NJDEP) has issued disaster debris management guidance, municipalities should also consider incorporating waste-to-energy recycling plans into their disaster planning.

New Jersey Disaster Debris Management Tool Kit

In November 2015, NJDEP issued a revised "Disaster Debris Management Planning Tool Kit for New Jersey Municipalities" (the Tool Kit), which encourages municipalities to prepare to handle debris generated by future weather events, by taking the following steps: (a) receiving pre-approval for Temporary Debris Management Areas (TDMAs); (b) planning for debris handling and waste prioritization and entering into debris-management contracts; and (c) training local personnel on debris handling and recordkeeping.



> **"New Jersey's Tool Kit is a welcome guide to disaster debris management for local municipalities."**

Siting & utilizing TDMAs

Local landfills are often inundated with debris following a natural disaster. Left unattended, debris may prevent emergency operations, transportation, or recovery efforts. Therefore, it is critical that municipalities establish TDMAs for the staging and characterization of disaster debris. For example, in order to address the amount of debris created by Sandy, NJDEP approved 326 TDMAs where disaster debris could be staged and characterized prior to disposal.

TDMA size will vary by township, based on population size, and the type of waste that could be generated in the township. The type and quantity of disaster debris will vary by the location and size of the affected population. For example, NJDEP found that following Sandy, Bridgewater Township had zero yards of non-vegetative debris, but approximately 500,000 cubic yards of vegetative debris. In contrast, Toms River Township (a densely-populated shore town) generated at least 332,633 cubic yards of non-vegetative debris, and 128,796 cubic yards of vegetative debris.

Where possible, municipalities should elect to use public land to site the TDMA. If private land is selected, the lease agreement must contain provisions for returning the site to original conditions, and should provide for adequate liability insurance. Some municipalities may not have appropriate space to site a TDMA. In those cases, municipalities should investigate regional TDMAs and enter into shared service agreements with neighboring towns. Regardless of where the TDMA is sited, municipalities should conduct a baseline environmental survey, including the sampling of soil and groundwater, before operations begin so that the site can be returned to its original state following debris operations. Municipalities should also ensure

that adequate security measures are in place to prevent unauthorized dumping and possible injury.

Once a TDMA is sized and sited, the municipality must apply for NJDEP approval in advance of an emergency event. NJDEP has issued an application form, which requests information regarding: (a) the location of the site; (b) a site drawing showing proposed debris stockpile areas; (c) a description of the type of debris that will be accepted at the site; (d) an indication of whether vegetative debris will be ground or shredded; and (e) whether additional approvals from the Land Use Regulation Program (i.e., related to wetlands, flood hazard areas, or endangered species) are required. Additional approvals from the Pinelands Commission or Highlands Council may be required.

Waste characterization & debris management contracts

Absent specific direction from the governor, all of New Jersey's waste and recycling regulations will remain in place through a disaster. Therefore, municipalities must ensure that debris is properly handled and characterized. Waste separation at the TDMA is critical to minimize odors and rodent problems, and protect workers who come into contact with waste materials.

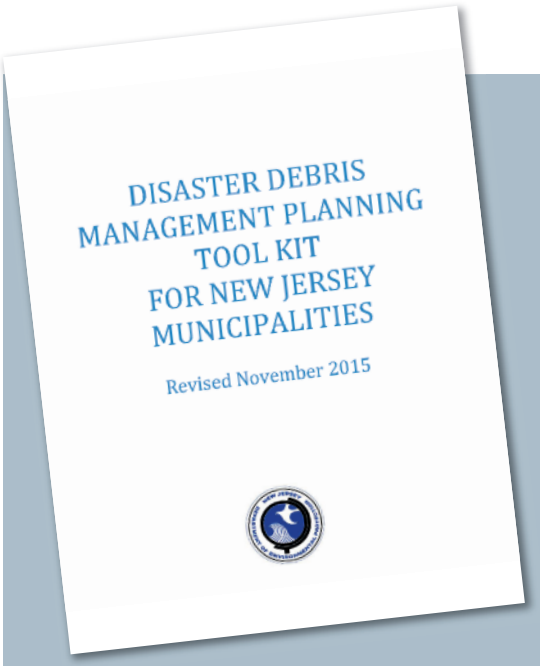
New Jersey municipalities should also have stand-by contracts in place with emergency debris collectors to ensure that debris collection, removal, and monitoring services are available in the immediate aftermath of a natural disaster. The state has entered into standby contracts for debris removal which would allow local municipalities to submit "task orders" once the State activates the overall contract. The downside to this approach is that a municipality may not be the contractor's sole priority, and the contractor may not have the resources to meet all the municipalities' needs. It is important for a municipality to determine whether their chosen contractor is also under contract with other municipalities and can respond quickly to calls for assistance during an emergency.

Training local personnel on handling & recordkeeping

If municipal employees are engaged in any aspect of debris handling, those employees need to be properly trained to handle the matter that they are collecting.

Further, while A-901 licensing requirements do not apply to persons clearing vegetative debris, they may apply to the transportation of solid waste. Municipalities should be careful to avoid using non-A-901 approved contractors for transportation of waste away from TDMAs.

Finally, it is critical that municipal



How Does the Tool Kit Measure Up?

While the Tool Kit provides a road map for municipalities, noticeably lacking is an in-depth discussion of recycling and waste-to-energy options for handling disaster debris. Federal guidance encourages municipalities and state governments to consider waste-to-energy recycling options: much of the debris material generated by natural disasters is recyclable, including scrap metal, white goods, mixed construction debris, asphalt pavement, and particularly vegetative debris.

Several other states have had success in using "waste-to-energy" solutions to address vegetative disaster debris. For example, in Florida, nearly 50% of the vegetative debris generated by Hurricanes Charley, Frances, and Jeanne was used by a local utility to generate electricity. Similarly, at least one million tons of vegetative debris from Louisiana and Mississippi was processed at waste-to-energy facilities following Hurricane Katrina. Contractors working in Florida after Hurricane Ivan were also able to export nearly two million cubic yards of debris to Italy for use as biomass in power plants.

These types of disposal methods are attractive to contractors, who can profit from re-sale of debris they are handling. Local municipalities should be sure to negotiate for a "cut" of that profit.

employees be trained in proper record-keeping regarding disaster debris. To ensure eventual reimbursement from FEMA (where available) employees who are monitoring debris removal should be familiar with FEMA regulations and maintain detailed records of municipal activities.

Conclusion

New Jersey's Tool Kit is a welcome guide to disaster debris management for local municipalities. Using the steps outlined in the Tool Kit, municipalities should be able to site and gain approval for TDMAs, and develop plans for mobilization of municipal resources. However, five years after Sandy and in light of the recent nor'easters, municipalities should also consider whether waste-to-energy contracts would be beneficial in addressing vegetative debris needs going forward.