



New
Jersey
Department of
Environmental
Protection

COMPLIANCE ADVISORY

Enforcement **Alert**

Making You Aware of Potential Regulatory Obligations

Compliance and Enforcement

Issued: April 28, 2015

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Recovery of Outstanding Fees from Solid Waste Facilities, Utilities and Recycling Centers

Who is affected by this advisory?

Solid waste facilities, utilities and recycling centers which have outstanding fees more than 90 days overdue, including fees referred by DEP to collection agencies.

Why is DEP issuing this advisory?

The Department is stepping up its efforts to collect overdue fees from solid waste facilities, utilities and recycling centers. These fees were established to support the Department's oversight of these regulated entities to ensure compliance with the Solid Waste Management Act and the Solid Waste Utility Control Act. Facilities that disregard these fees have an economic advantage over their competitors, thereby creating an uneven playing field in the disposal and recycling industry. In addition, failure to pay such fees within 30 days of the due date constitutes a violation for which the DEP may assess a civil administrative penalty equal to one-half of the unpaid fee or more.

What is DEP doing?

The DEP is issuing Notices of Violation to facilities having outstanding fees more than 90 days overdue, providing a final opportunity for these entities to pay their overdue fees. Facilities which fail to pay these fees will be issued an Administrative Order and Notice of Civil Administrative Penalty ordering payment of such fees and imposing a penalty. If the fees and penalty are not paid in a timely manner, the Department may increase the amount of the base penalty by 1% for each day payment is past due. In addition, for facilities failing to pay outstanding fees, any future modifications, renewals, transfers of permits, approvals and/or any other permit actions will be postponed until payments are received in full.

What should I do?

To obtain a listing of outstanding fees for your facility click [here](#) and follow the following steps:

- Enter the "Program Interest" or PI Number of your facility, which can be found in your Notice of Violation.
- For bills with a status of "Open (Pending Payment)" you will be able to print an invoice which you can send to the Department of Treasury along with your payment.

- For bills with a status of “Open (Pending Payment through Collections)” you need to contact Financial Asset Management Systems, Inc. (FAMS), a debt collection agency for the State of New Jersey. FAMS can be reached at 800-399-4639 or at <https://www.famspayonline.net/index.php>

Who should I contact with questions?

Please contact us by e-mail at SWfees@dep.nj.gov. This e-mail account is monitored daily by staff from the solid waste enforcement and permitting programs who will respond to your e-mails in a timely fashion.

Where can I get forms or more information?

Information on fees issued by the solid waste enforcement program:
<http://www.nj.gov/dep/enforcement/cmfees.html>

Regulations related to fees and penalties:
<http://www.state.nj.us/dep/dshw/resource/2009%20RULES/26%20CHAPTER%204.pdf>

For more information about our Compliance Advisory program or to comment on this advisory:

NJDEP Compliance Advisories are an electronic notification service of the NJDEP Compliance & Enforcement Program providing information to subscribers notifying them of upcoming important developments involving NJDEP’s Compliance & Enforcement Program and their customers including changes in regulations, training opportunities, compliance assistance information and more. We generally issue 15-20 compliance advisories annually.

In addition, the NJDEP’s Compliance and Enforcement Program (C&E) is pleased to announce that we are now on [Facebook](#). Our goal is to provide our stakeholders and the regulated community a new way to connect and share relevant and useful compliance assistance topics, upcoming training, regulatory updates and recent advisories on a regular basis. Click on this link: <https://www.facebook.com/NJDEPComplianceandEnforcement> and “Like” our page to receive up-to-date information as soon as it is available.



Compliance Advisory Homepage: <http://www.nj.gov/dep/enforcement/advisories.html>

Advisory Comments may be directed to: <http://www.nj.gov/dep/enforcement/survey.html>