

Cannabis Waste Transportation & Cannabis Regulatory Commission Disposal Guidance

Cannabis Regulatory Commission (CRC) Regulation Governing Disposal:

17:30-9.14 Destruction or disposal of cannabis waste and hazardous waste; expiration of license procedures

- (a) A license holder shall manage non-hazardous unusable cannabis, cannabis waste, or cannabis items, including returned, recalled, or usable cannabis or cannabis products that have expired, by either: destroying the material through incineration; or rendering the material unrecoverable, unrecognizable, and useless for diversion, and then disposing of the material by either transporting it off-site as compost or solid waste or composting it on-site.
1. If a license holder chooses to destroy the material by incineration, it shall ensure the material is transported in accordance with (a)3 below, to a New Jersey Department of Environmental Protection-authorized incinerator and is actually incinerated.
 2. If a license holder chooses to dispose of the material as solid waste or compost, the license holder:
 - i. In a secured, locked area on the cannabis business premises that is visible to a security camera, shall render the material irrecoverable, unrecognizable, and useless for diversion, by:
 - (1) Finely shredding or grinding the cannabis or cannabis waste; and
 - (2) Mixing the shredded or ground cannabis waste with safe, non-toxic, biodegradable material, such as soil, cat litter, or compostable material, so the resulting mixture is at least 50 percent non-cannabis waste by volume;
 - ii. Shall store the mixed cannabis waste in a secure, locked container or space until it can be disposed; such container may be outside the facility, provided it is within view of a security camera; and
 - iii. Shall dispose of such mixed cannabis waste by:
 - (1) Ensuring the material is transported in accordance with (a)3 below, to a solid waste disposal facility holding the applicable solid waste permit from the New Jersey Department of Environmental Protection and is disposed of; or
 - (2) Composting it on-site, in a secure, locked container or space, as approved by the Commission, or at a facility owned by the cannabis business and operated in compliance with all applicable New Jersey Department of Environmental Protection statutes and rules, provided all materials in the mixture are compostable materials, or by transporting the compost to a facility authorized by the Department of Environmental Protection to compost off site.
 3. For the transportation of non-hazardous solid waste that is unusable cannabis, cannabis waste, or cannabis items to a facility for destruction or disposal, a license holder shall either register as a Self-Generator Solid Waste Transporter to transport the waste itself, in

accordance with N.J.A.C. 7:26-3.2(a) and 16.3, or use standard solid waste collection and contract with a vendor-contractor that is a licensed and registered Commercial (A901) Solid Waste Transporter, in accordance with N.J.S.A. 13:1E-126 et seq., to transport the mixed cannabis waste on its behalf.

4. The license holder and any person transporting, destroying, or disposing of the mixed cannabis waste shall comply with N.J.A.C. 7:26-2, 2B, and 3 and the county or district Solid Waste Management Plan for the county or district in which the premises are located, in accordance with N.J.A.C. 7:26-6.
 5. An electronic smoking device shall not be incinerated or rendered unrecoverable, unrecognizable, and useless for diversion. All vaporized formulation shall be removed from the device. The electronic smoking device:
 - i. If it is an “all-in-one” e-cigarette that includes a battery that is not removable, shall be treated as hazardous waste (code D003) in accordance with (b) below and 40 CFR 262 et seq.; or
 - ii. If it is a multi-part device and can be split into a removable rechargeable battery and another cartridge piece not containing a battery, the battery may be disposed of as universal waste and sent for recycling, in accordance with 40 CFR 273 et seq., and the remaining cartridge may be disposed of as solid waste in accordance with N.J.A.C. 7:26.
- (b) A license holder shall dispose of any waste that is considered hazardous pursuant to N.J.A.C. 7:26G-6.1, in accordance with all applicable New Jersey Department of Environmental Protection statutes and rules.
1. A license holder shall make an accurate determination as to whether the discarded cannabis or cannabis waste is a hazardous waste, in accordance with 40 CFR 262.11(a) through (d).
- (c) The license holder shall create and maintain a written record of the destruction or disposal of the cannabis by the cannabis business and weigh the cannabis and update it in the inventory prior to destruction or disposal, including any information required at N.J.A.C. 17:30-9.7.
- (d) A license holder may, in accordance with this chapter, sell its inventory to another licensed cannabis business before its license expires. If a license expires without being renewed or is revoked, the license holder shall:
1. Immediately discontinue any production or sale of cannabis items;
 2. Weigh any cannabis in its inventory and update it in the inventory prior to disposal or destruction;
 3. Destroy or dispose of all unused cannabis or surplus inventory still in its possession within 72 hours of the license expiring and provide proof to the Commission of such destruction or disposal; and
 4. Create and maintain a written record of the disposal of the cannabis.

- (e) Within 10 business days after destroying or disposing of the cannabis, the license holder or former license holder shall notify the Commission, in writing, of the amount of cannabis destroyed or disposed of, including the form, weight, quantity, and any other information requested by the Commission.

Amended by R.2023 d.034, effective March 6, 2023.
See: 54 N.J.R. 1470(a), 55 N.J.R. 402(a).
Section was "Destruction of cannabis". Rewrote the section.

DEP Regulatory Cannabis Guidance:

Cannabis grow or retail facilities have the following disposal options available to them based on CRC and DEP regulations:

- Render the cannabis unusable by turning it into a 50:50 mixture with a non-consumable product such as cat litter or dirt which is consistent with NJCRC regulations.
- Manage the cannabis materials as a solid waste (waste type ID# 23) – contracting with an A901 hauler:
 - This link provides access to locate authorized A-901 haulers [https://njems.nj.gov/DataMiner/Search/SearchByCategory?isExternal=y&getCategory=y&catName=Vehicle+Registration+\(2009+Forward\)](https://njems.nj.gov/DataMiner/Search/SearchByCategory?isExternal=y&getCategory=y&catName=Vehicle+Registration+(2009+Forward))
 - Some counties in New Jersey mandate where certain solid waste types must be disposed of in their County District Waste Management Plans. This link provides a summary of counties that have flow control and what waste types are controlled [NJDEP New Jersey Department of Environmental Protection](#)
- Waste cannabis generated by the grow or retail facilities and rendered unusable as defined by CRC would be considered the generator of the ID# 23 solid waste. As such, if the grow or retail facility would like to transport this waste themselves, they could by registering with NJDEP as a self-generator solid waste transporter through this link <https://dep.nj.gov/wastedecals/> The link provides access to registration and FAQs.
- The grow or retail facility could also manage the unusable cannabis as a Class C recyclable material and send it for composting or anaerobic digestion.
- If the grow or retail facility wanted to manage the unusable cannabis as a Class C recyclable material, no A901 is necessary because it is being recycled. Here is a link to approved Class C facilities <https://dep.nj.gov/dshw/rhwm/classcrf/>