Sponsored by:
Assemblyman JOHN E. ROONEY
District 39 (Bergen)

SYNOPSIS
Establishes moratorium on the installation of synthetic turf pending a comprehensive public health study.

CURRENT VERSION OF TEXT
As introduced.
AN ACT establishing a moratorium on the installation of synthetic turf pending a comprehensive public health study, and supplementing Title 26 of the Revised Statutes.

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

1. The Legislature finds and declares that:
   a. Increasingly, synthetic turf is being installed in many locations in New Jersey, including parks, athletic fields and other settings where natural grass was previously grown. In recent years, crumb rubber fill is being used as a component of synthetic turf and mulch. Crumb rubber is the result of processing waste tires, which contain numerous components, some of which are known to be hazardous to people and the environment;
   b. The hazardous components include arsenic, cadmium, chromium, lead, vanadium, zinc and acetone. Health effects associated with these components, at dangerous levels, include birth defects, cancer, nervous system damage and immune system suppression; and
   c. While various options for waste tire use are essential to reducing the significant stockpiles of waste tires, such uses should not threaten or compromise public health.

   The Legislature further finds and declares that more information is necessary to make an informed decision on the appropriate uses of synthetic turf containing crumb rubber. In the interest of preventing adverse health impacts and contamination to natural resources, a comprehensive public health study on the potential threats associated with the use of synthetic turf is warranted.

   The Legislature therefore determines that it is consistent with public policy to require that a comprehensive public health study be undertaken immediately; and, in the meantime, to temporarily suspend the installation and use of synthetic turf products that contain crumb rubber.

2. For the purposes of this act:
   "Crumb rubber" means ground rubber derived from waste tires, which contain one or more of the following ingredients: arsenic, cadmium, chromium, lead, vanadium, zinc, and acetone.
   "Synthetic turf" means any materials or compositions that include crumb rubber as a component used in place of grass to surface parks, outdoor playing or athletic fields, indoor athletic facilities or other venues.

3. There is hereby established a moratorium on the sale and installation of synthetic turf for a period of 180 days from the effective date of this act or until the Department of Health and
Senior Services reports to the Governor and the Legislature on its findings and recommendations as required in section 4 of this act.

4. a. The Department of Health and Senior Services, in cooperation with the Department of Environmental Protection, shall immediately undertake a review of all available data relating to the potential health risks and effects of synthetic turf, with particular attention to the crumb rubber content of the synthetic turf.

b. The Commissioner of Health and Senior Services shall:

(1) Solicit input from environmental and public health specialists, and other stakeholders in an open, public process;

(2) Examine various routes of exposure and the health and environmental impact of these pathways including, but not limited to, small fill particle inhalation, volatility, leaching to groundwater, dermal absorption, and persistence in the environment of original and degradation by-products;

(3) Prepare a report to the Governor and the Legislature which includes research and studies conducted on synthetic turf which were the source of the report findings and recommendations for appropriate and inappropriate use of synthetic turf, crumb rubber and waste tires. The report shall be filed within six months of the effective date of this act, unless the Commissioner of Health and Senior Services requests, in writing, an extension of time; and

(4) Conduct an outreach program to inform local governments, private organizations, schools and the public regarding the findings of the report. If necessary, information on safe alternatives to synthetic turf in settings where this material is a potential or actual health risk should be disseminated to the public.

c. All other departments or agencies of the State or subdivisions thereof, and local governments shall, at the request of the Commissioner of Health and Senior Services, provide expertise, assistance, and data that will enable the commissioner to carry out the provisions of this act.

5. The provisions of any other law, or any rule or regulation adopted pursuant thereto, to the contrary notwithstanding, a site-specific environmental impact statement shall be prepared for any action that includes the use of synthetic turf. The environmental impact statement shall include the potential public health risks from exposure to synthetic turf and maintenance products, health risks from exposure to synthetic turf and maintenance products, including inhalation impact, volatility impacts, and impact of hazardous levels of constituents of synthetic turf. Environmental impacts shall be assessed, including migration of chemicals from the synthetic turf into air, water and soil. The environmental impact statement shall meet the requirements of the most detailed environmental impact statement required by law.
6. This act shall take effect immediately, and section 3 shall expire on the 180th day thereafter except as may otherwise be provided pursuant to section 4 of this act.

STATEMENT

The purpose of the bill is to require an assessment of the public health and environmental impacts of the use of synthetic turf in indoor and outdoor settings.

The bill would require the Department of Health and Senior Services, in cooperation with the Department of Environmental Protection, to conduct a comprehensive review of all available data relating to the potential health risks and effects of synthetic turf, with particular attention to the crumb rubber content of the synthetic turf.

The bill would impose a moratorium on the sale and installation of synthetic turf for a period of 180 days from the bill’s effective date or until the Department of Health and Senior Services reports to the Governor and the Legislature on its findings and recommendations.

Increasingly, synthetic turf is being installed in many locations in New Jersey, including parks, athletic fields, indoor facilities and other settings where natural grass was previously grown. In recent years, crumb rubber fill is being used as a component of synthetic turf and mulch. The crumb rubber is a result of processing waste tires, which contain numerous components, some of which are known to be hazardous. These contaminants can include arsenic, cadmium, chromium, lead, vanadium, zinc and acetone. Health effects associated with these contaminants include birth defects, cancer, nervous system damage and immune system suppression.

In 2004, the Legislature enacted P.L.2004, c.46, which established in the Department of Environmental Protection a Local Tire Management Program for the proper cleanup of abandoned tire piles and to provide grants to counties and municipalities for proper cleanup of abandoned tire piles within their respective jurisdictions.

While various options for waste tire use are essential to reduce the significant stockpiles of waste tires, these uses should not threaten or compromise public health or the environment.

Limited testing of synthetic turf has occurred, identifying levels of concern of lead, arsenic cadmium, chromium and other contaminants. However, more information is necessary to make informed decisions on the appropriate uses of this material. In the interest of preventing adverse health impacts and contamination to natural resources, this bill would require that a comprehensive investigation on the potential threats associated with the use of synthetic turf be conducted.