



# New Jersey Department of Environmental Protection



## A-901 License

This is to advise you that the investigative report from the Attorney General required under N.J.S.A. 13:1E-126 et seq. has been received by the Department of Environmental Protection (Department or NJDEP). Based upon the review of the investigative report, the Department is hereby issuing this **A-901 License** to:


### **AMERICAN WASTE MANAGEMENT SERVICES, INC.**

Please be advised that this license hereby issued is a **“conditional”** license and is modified by the terms and conditions as specified on the **attached document** as they have been put forth by the Office of the Attorney General (OAG) and the Department. **Failure to meet the specified conditions constitutes grounds for the revocation of this license.**

This A-901 approval **does not authorize the operation of any business entity or confer the authority to commercially engage in the solid waste, hazardous waste, or soil and fill recycling industry in New Jersey without all necessary permit and/or approvals in place.**

This license is only issued to American Waste Management Services, Inc. (Licensee) for its exclusive use and control. You are required to notify the Department and the OAG, within 30 days, of any changes regarding this company or its operations. In addition, this license must be renewed annually, by submitting the A-901 Annual Update (found at: <https://www.nj.gov/dep/dshw/a901/a901frms.htm>) to the OAG on or before November 1st of each calendar year.

Date Issued: October 15, 2020

Signature:   
Roxanne Feasel, Permit Coordination Officer  
NJDEP, Planning and Licensing, A-901 Unit

005571 - PI 916643

## **CONDITIONS OF A-901 LICENSE FOR AMERICAN WASTE MANAGEMENT SERVICES, INC. (Page 1-of-2)**

**Official Company Name** - The State of New Jersey, Division of Commercial Recordings database indicates that this company is registered as American Waste Management Services, Inc. (commercial record number: 0100788581), which is the official company name A-901 licensed in New Jersey. Therefore, you are required to conduct all solid waste, hazardous waste, and soil and fill recycling business activities and operations under the registered and licensed name of: American Waste Management Services, Inc., including, but not limited to, lettering of all registered equipment, billing and invoices, insurance, and all state and federal identification numbers and registrations.

**Continued Obligation to Comply** - Licensee has a continuing obligation to comply with all NJDEP rules and regulations.

**Obtain Required Approvals Prior to Commencing Solid Waste, Hazardous Waste or Soil and Fill Recycling Operations** - Prior to commencing solid waste, hazardous waste, or soil and fill recycling operations, the Licensee must obtain all required permits, licenses, and/or approvals from the Department, or other state, county or federal agencies as applicable.

**Key Employee Disclosures** -- A Personal History Disclosure (PHD) must be filed within 30 days of hire for any and all key employees; that is, any supervisors, or any individuals empowered by the Licensee to make discretionary decisions with respect to waste operations of the company, or any family member involved in Licensee's business, consultant, or sales persons. Licensee must file a PHD for these individuals regardless of whether they are employees of Licensee or independent contractors. N.J.S.A. 13:1E-127(f).

**Comply with Applicable Federal and State Reporting Requirements** - The Licensee is required to comply with all applicable federal and state reporting requirements, including but not limited to the Motor Vehicle Commission, Division of Taxation, and the Department of Labor.

**Prohibition of Sale of License** - Pursuant to N.J.S.A. 13:1E-133: If, at any point subsequent to issuance of this license, Licensee has no solid waste equipment registered with NJDEP or has no customers: the owners are prohibited from effecting any transaction which results in a change in majority ownership of the company, until NJDEP has reviewed disclosure statements from the proposed new owners and approved their participation in the New Jersey solid waste industry in accordance with N.J.S.A. 13:1E-126 to 135.

**Converting from Sole Proprietorship to Corporation or Limited Liability Company** - The conversion of Licensee from a sole proprietorship to corporate form without application for A-901 approval by the corporate entity is approved subject to the following condition: for two years following conversion, no sale of more than 50% of the equity of the Licensee shall be consummated, and no such sale will be approved by the Department pursuant to the provisions of N.J.S.A. 13:1E-126 et seq., N.J.A.C. 7:26-16.6, N.J.S.A. 48:13A-1 et seq., and N.J.A.C. 7:26H-1.1 et seq., without the submission of administratively complete disclosure forms, with fingerprints, of all proposed new owners, directors, partners, officers or key employees, to the OAG and A-901 approval of all proposed new owners, directors, partners, officers or key employees.

## CONDITIONS OF A-901 LICENSE FOR AMERICAN WASTE MANAGEMENT SERVICES, INC. (Page 2-of-2)

**Solid Waste Transporter and Brokers** – The Licensee is required to obtain a Certificate of Public Convenience and Necessity (CPCN) prior to commencing solid waste business operations. Questions regarding the CPCN should be directed to (609) 984-4250 or [swutility@dep.nj.gov](mailto:swutility@dep.nj.gov).

**Waste Transporter** – The Licensee is required to register and obtain decals for all transportation equipment with NJDEP's Vehicle Registration Unit prior to commencing operations. Questions regarding registration should be directed to (609) 292-7081 or [lru@dep.nj.gov](mailto:lru@dep.nj.gov).

**Lessor Disclosure Requirement** - Licensee shall provide disclosure statements from lessors when required by N.J.A.C. 7:26-16.6(i), (j) and (k).

**Brokers Must Only Engage the Services of A-901 Licensed Transporters** - The Licensee must only engage the solid or hazardous transportation services of A-901 licensed entities. All transporters must comply with state and federal transportation requirements, and have current decals affixed to their equipment. A transporter's licensure status can be verified by calling NJDEP at (609) 984-4250 or from the DataMiner Reports link at: <http://www.nj.gov/dep/dshw/hwr/regislic/lru.htm>.

**Transporters Must Only Accept Work from a Licensed Broker** - The Licensee must ensure that a broker is licensed before accepting a waste transportation or soil and fill recycling project from that broker. A broker's licensure status can be verified by calling NJDEP at (609) 984-4250 or from the DataMiner Reports link at: <http://www.nj.gov/dep/dshw/hwr/regislic/lru.htm>.

**Engaging in Hazardous Waste Transportation** - Hazardous Waste is specifically identified and regulated by the United States Environmental Protection Agency (USEPA) by 40 CFR, Part 262 and incorporated by reference into the regulations of NJDEP. Therefore, the Licensee must comply with all governing state and federal laws applicable to hazardous waste transportation in New Jersey prior to the transportation of hazardous waste and provide proof to the Department at the time of filing your registration statement with NJDEP's Vehicle Registration Unit (609-292-7081) to obtain decals. Specifically, but not limited to: 1. Obtain a USEPA Transporter Registration Number; 2. Proof of compliance with the minimum financial responsibility requirements covering public liabilities, property damage and environmental restoration set out at 49 C.F.R. Part 387 in a form approved by the Department; MCS-90; 3. Proof of Hazmat Training conforming to 49 CFR 172.700 to 172.704; 4. Proper registration with the U.S. Department of Transportation (USDOT) for any applicable transportation activities; 5. Proof of current registration with the Pipeline Hazardous Material Safety Administration to transport hazardous material; 6. If applicable, satisfactory completion of NJ State Police - New Entrant Program, or are in good standing with NJ State Police Motor Vehicle Enforcement. Failure to comply with these conditions may result in formal enforcement actions or denial of NJDEP Transporter Registration Statement and decals. The licensee is also required to maintain good standing with the New Jersey Division of Taxation. Failure to comply with these requirements shall constitute grounds for immediate revocation of this A-901 license.

**Compliance Assistance Workshop** – All key employees (any supervisors, any individuals empowered by American Waste Management Services, Inc. to make discretionary decisions with respect to the waste or soil and fill recycling operations of the company, any family member, any consultant, or any sales persons) must attend NJDEP's Compliance Assistance Workshop within 90 days of the hire date or the date of this license. Please email [annamaria.penherrera@dep.nj.gov](mailto:annamaria.penherrera@dep.nj.gov) for further information.


**Compliance with FMCSA and USDOT Requirements** – This approval authorizes Licensee to transport waste within the State of New Jersey only. Licensee must register with the Federal Motor Carrier Safety Administration (FMCSA) and obtain a United States Department of Transportation (USDOT) number before using commercial vehicles weighing more than 10,001 pounds, in accordance with federal motor carrier regulations (49 C.F.R. 390.1 et seq.) and state motor carrier regulations (N.J.A.C. 13:60-1.1 et seq.). Licensee is responsible for reporting information consistently to USDOT and NJDEP; any material discrepancy may result in revocation of license.

## Acknowledgement and Agreement

By accepting this license, I hereby agree to comply with the conditions of this license, which shall be enforceable as a final agency order in the Superior Court of New Jersey, under NJ Court Rule 4:67-6. I agree not to contest the terms or conditions of this license in any action to enforce the conditions contained within this license.

10-19-20  
Date

Kenneth McMahon  
Kenneth McMahon-Print Name

  
Signature

President  
Title

10-19-2020  
Date


Mark Cawthorne  
Mark Cawthorne-Print Name

  
Signature

VP/Business Development  
Title

10/16/20  
Date


James Smith  
James Smith-Print Name

  
Signature

VP/Disposal Sales  
Title

10/16/20  
Date

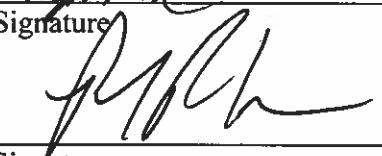
Bryan Saksa  
Bryan Saksa-Print Name

  
Signature

Treasurer  
Title

10/16/20  
Date

Richard Fees  
Richard Fees-Print Name

  
Signature

Controller/Assistant Secretary  
Title

American Waste Management Services, Inc. - A-901 License

c: Dave A. Tuason, DAG, DOL  
Robert Gomez, Chief, NJDEP Enforcement  
Seth Hackman, Section Chief, NJDEP  
005571 - PI 916643

Once signed, please mail this original form to:

Roxanne Feasel  
NJDEP, A-901 Unit  
401 E. State Street  
PO Box 420, Mail code: 401-02C  
Trenton, NJ 08625-0420