

Environmental and Public Hazards

The bitumen binder used in asphalt paving applications contains a relatively high concentration of a family of organic compounds that has the potential to pose human health and environmental concerns in certain circumstances, especially when asphalt material is ground into very small particles that easily blow off of or wash from the surface. These compounds, known as polycyclic aromatic hydrocarbons (PAHs) are present in RAP at higher levels than the criteria established by the NJDEP for general use in a loose fashion on land. RAP used alone without a paved top surface has the potential to significantly migrate from the roadway through the actions of water, wind, and physical displacement and possibly contaminate surrounding soils and/or surface water sediments. Traffic traveling on the unpaved RAP could generate dust containing the compounds referenced above and the dust would be a major migration route of the RAP to the surrounding environment.

Vehicle Requirements

NJDEP solid waste vehicle registration for vehicles hauling RAP is not required for the transport of RAP for reuse and/or recycling. NJDEP solid waste vehicle registration is required for the transport of RAP for disposal.



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This pamphlet and the information contained herein shall not constitute legal advice and should be not relied upon in lieu of consultation with the appropriate legal advisors. In addition, the contents of the pamphlet are not intended to supersede, abridge or alter the regulations set forth by the New Jersey Department of Environmental Protection ("NJDEP").

For further information regarding NJDEP and asphalt millings, go to the NJDEP Website:
<http://www.state.nj.us/dep/dshw/>

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Reuse of Recycled Asphalt Pavement and Millings (RAP)



Office of Health
Management

MORRIS COUNTY

Recycled Asphalt Pavement (RAP)

Background

It is the policy of the New Jersey Department of Environmental Protection (NJDEP) and Morris County to encourage and promote the reuse of recycled asphalt pavement (RAP). The permitted and prohibited uses of RAP are regulated by the NJDEP in N.J.A.C. 7:26 and 7:26A.

This pamphlet is provided by the Morris County Office of Health Management as a guidance document summarizing the regulation pertaining to the reuse of RAP.

Definition: Recycled Asphalt Pavement (RAP): means asphalt millings (the material produced from the milling of roads before repaving) and pieces of asphaltic roadway pavement removed from the roadway surface or sub-base, or from other asphalt-paved surfaces such as parking lots.

Storage of RAP

Asphalt millings must be stored in a manner that will prevent runoff from exiting the pile. There is a 6-month storage limit.

Allowed Uses of RAP

- Taken directly to and used by asphalt manufacturing plants for direct incorporation into hot mix asphalt or warm mix asphalt (in accordance with NJDOT standards)
- Sub-base material under concrete slabs for nonresidential buildings (requires filing of deed notice)
- Nonresidential roadway or construction related activities and under nonresidential building structure slabs that are infrequently occupied (salt storage)
- Roadway and parking area soil aggregate sub-base if RAP is placed directly beneath and is fully contained by paved surface (hot mix asphalt or Portland cement concrete)
- Constructing or repaving roadways or vehicle use areas under certain conditions
- Used in surfacing materials (appropriate binder must be applied)
- Surface material in roadway edge stability and guard-rail based material
- Base material under impervious surfaces such as footings, foundations, and slabs for transportation storage buildings

Prohibited Uses of RAP

- As final resurfacing material, unless the RAP is bound with asphalt emulsion, or paved with hot mix asphalt or Portland cement concrete
- In wetlands, flood fringe, floodways or buffers to these regulated areas, unless such use is in conjunction with the repair, maintenance, or replacement of an existing vehicular paved surface, roadway or parking lot, and is undertaken in accordance with the requirements of the Freshwater Wetlands and Flood Hazard Acts
- As fill material at any Clean Site, except as authorized by NJDEP
- In the reclamation of quarries of unconsolidated materials (e.g., sand, gravel)
- As fill material, except for uses as provided in accordance with New Jersey State law.
- In areas that are less than two feet above high water table

Recycling of RAP

If recycling asphalt millings, they must be deposited only at an approved recycling facilities permitted to accept asphalt milling for recycling.