EXECUTIVE ORDERS

a member, and in the absence of the commissioner, as acting
chairperson.

2. I hereby ratify and republish Executive Order No. 47, except
as provided in this Executive Order.

3. This Order shall take effect immediately.
Issued November 30, 1983.

EXECUTIVE ORDER No. 56

WHEREAS, The New Jersey Department of Environmental Protec-
tion has undertaken the investigation, sampling and analysis
of soil and air samples at certain property located within the
Borough of Glen Ridge and the Town of Montclair, both situ-
ated in the County of Essex; and

WHEREAS, On the basis of this investigation, the Department of
Environmental Protection has reached the preliminary conclu-
sion that certain property in these municipalities may be subject
to levels of radon in excess of the standards established for that
substance by the United States Environmental Protection Agency
and the Nuclear Regulatory Commission; and

WHEREAS, The presence of radon and other radioactive decay ma-
terials has been determined to pose a threat to human health; and

WHEREAS, The Department of Environmental Protection, with the
cooperation of the United States Environmental Protection
Agency, is conducting further investigations, samplings, and
analyses in order to obtain definitive information regarding the
nature and extent of any danger which may be posed by the
presence of radon at the above-described area and to determine
what actions, if any, will be required to safeguard the public
health and welfare; and

WHEREAS, The potential threat indicated by the results of the
preliminary investigation described above is of such magnitude
that the coordinated efforts of local, regional and State agencies
must be taken immediately to ensure the protection of the public
health and welfare from this potential hazard; and
WHEREAS, The scope of the efforts necessary to so protect the public health and welfare is beyond the capacity of regular municipal operating services, or of any State agency acting singly;

NOW, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby declare a state of emergency and ORDER and DIRECT as follows:

1. I invoke such emergency powers as are conferred upon me by the Laws of 1942, chapter 251 (C. App. A:9–30 et seq.), and all amendments and supplements thereto.

2. The Commissioner of the Department of Environmental Protection is hereby authorized and directed to take such emergency measures as he may determine to be necessary in order to fully and adequately protect the health, safety and welfare of the citizens of this State from any actual or potential threat or danger which may exist as a result of the presence of radium, radon, or other radioactive decay products present in the Borough of Glen Ridge and the Town of Montclair in the County of Essex. The commissioner is further authorized to adopt, pursuant to C. App. A:9–45, such orders, rules and regulations as may be appropriate in order to carry out the purposes and directives contained herein. The commissioner shall supervise and coordinate all activities of all State, regional and local political bodies and agencies in order to ensure the effective and expeditious implementation of this Order, and to this end, may call upon all such agencies and political subdivisions for any assistance necessary. All State agencies, political subdivisions, and local and regional agencies are directed to comply with and implement the orders, rules and regulations issued by the commissioner pursuant hereto and to provide all assistance and cooperation requested by him.

3. The powers granted to the Commissioner of Environmental Protection hereby shall include, but not be limited to, the power to use, seize, impound, quarantine, restrict access to, or require the vacating of, or the making of modifications or improvements, temporary or permanent, to any real or personal property, which in his judgment is reasonably required to abate the emergency caused by the possible presence of radium, radon, or other radioactive decay products and the consequent threat to public health and welfare, as described above.
4. It shall be the duty of every person who is a resident of this State or who is doing business in this State, and of the members of the governing body, and of each and every official, agency or employee of every political subdivision of this State, and of each member of all other governmental bodies, agencies and authorities in this State of any nature whatsoever to cooperate fully in all matters concerning this emergency. No municipality, county or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance or resolution which might or will in any way conflict with any of the provisions of this Order or any of the orders, rules or regulations adopted pursuant to this Order, or which will in any way interfere with or impede the achievement of the purposes of this Order.

5. There is hereby established an Emergency Advisory Board comprised of the Commissioner of the Department of Environmental Protection as chairperson, the Commissioner of the Department of Health, the Attorney General of the State of New Jersey, or their designated representatives. The Commissioner of the Department of Environmental Protection shall consult with the other members of said Emergency Board prior to taking any action pursuant hereto, unless, in the opinion of the Commissioner of Environmental Protection, the exigencies of time do not permit such consultation.

6. Any person who shall violate any of the provisions of this Order or any rules, regulations or orders issued pursuant hereto, or who shall impede or interfere with the implementation of this Order, or any rules, regulations or orders issued pursuant hereto shall be subject to the penalties provided by C. App. A:9-49.

7. This Order shall take effect immediately. It shall remain in effect until terminated or amended by action of the Governor.

Issued December 2, 1983.

EXECUTIVE ORDER No. 57

WHEREAS, The recycling of waste materials conserves valuable resources, reduces the use of energy in manufacturing processes, provides a supply of domestic materials for industry, and reduces the amount of solid waste requiring disposal in the State's landfills; and