

AMENDMENT #16

TO THE CUMBERLAND COUNTY

SOLID WASTE MANAGEMENT PLAN



CUMBERLAND COUNTY IMPROVEMENT AUTHORITY
2 NORTH HIGH STREET
MILLVILLE, NEW JERSEY 08332
AUGUST 2003

Revised October 2003

((

((

((

AMENDMENT NO. 16 TO THE CUMBERLAND COUNTY
SOLID WASTE MANAGEMENT PLAN



TABLE OF CONTENTS

1.0	INTRODUCTION	3 - 4
2.0	SUMMARY OF CUMBERLAND COUNTY SOLID WASTE MANAGEMENT PLAN	5 - 7
3.0	PROPOSED OPERATIONS AT THE SOLID WASTE COMPLEX	
3.1	Purpose and Background	8 - 12
3.2	The Plan	12 - 13
4.0	MID-ATLANTIC RECYCLING TECHNOLOGIES, INC. SOIL DESORPTION FACILITY	
4.1	Purpose and Background	13 - 14
4.2	The Plan	14
5.0	MAURICE RIVER TOWNSHIP LEAF COMPOSTING FACILITY	
5.1	Purpose and Background	15
5.2	The Plan	15

**AMENDMENT NO. 15 TO THE CUMBERLAND COUNTY
SOLID WASTE MANAGEMENT PLAN**

TABLE OF CONTENTS (CONTINUED)

APPENDIX A	Cumberland County Solid Waste Complex Site Plan
APPENDIX B	Mid-Atlantic Recycling Technologies, Inc. Application for Inclusion Of Additional Four Acres
APPENDIX C	Maurice River Township Application for Exempt Leaf Composting Facility
APPENDIX D	Plan Amendment No. 15 Certification
APPENDIX E	Minutes of Cumberland County Solid Waste Advisory Council Meeting of July 15, 2003
APPENDIX F	Minutes of Cumberland County Solid Waste Advisory Council Meeting of October 21, 2003
APPENDIX G	Improvement Authority Approval
APPENDIX H	Public Hearing Notices
APPENDIX I	County Freeholder Resolution Adopting Amendment No. 16 to the Cumberland County Solid Waste Management Plan
APPENDIX J	Transcript of August 7, 2003 Pubic Hearing
APPENDIX K	Transcript of November 13, 2003 Pubic Hearing
APPENDIX L	Written Comments

1.0 INTRODUCTION

The County of Cumberland proposes to amend the Cumberland County Solid Waste Management Plan (CCSWMP or County Plan) pursuant to the requirements of the New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1 et. seq.). The New Jersey Solid Waste Management Act (the Act) designates each county in the State and the Hackensack Meadowlands District as solid waste management districts, and provides each county and the Hackensack Meadowlands Development Commission with the authority to develop and implement comprehensive solid waste management plans which meet the needs of every municipality within each county and within the Hackensack Meadowlands District. The Act requires that all district plans be based on and accompanied by a report detailing the existing waste disposal situation in the district, and a plan which includes the strategy to be followed by the district in meeting the solid waste management needs of the district for a 10 year planning period. The Act further provides that a district may review its plan at anytime and, if found inadequate, adopt a new plan.

The Cumberland County Solid Waste Management Plan was adopted by the Cumberland County Board of Chosen Freeholders on December 13, 1979, and approved with modifications by the Commissioner of the New Jersey Department of Environmental Protection (NJDEP) on March 4, 1981. Since 1981, fifteen amendments to the SWMP have been adopted by the Board of Chosen Freeholders and later approved by the Commissioner.

The purposes of the sixteenth amendment to the Cumberland County Solid Waste Management Plan are as follows:

1. To include proposed operations at the Cumberland County Solid Waste Complex in the Cumberland County Solid Waste Management Plan. These proposed operations include a Recyclables Transfer Facility, a Class B Recycling Facility for the recycling of scrap tires, a clean wood recycling area for the chipping of tree trunks, tree branches, stumps, and untreated wood waste, a leaf composting facility, and a permanent household hazardous waste/universal waste collection facility.
2. To include an additional four acres to Mid-Atlantic Recycling Technology (MART) contaminated soil processing Facility located at Block 89, Lot 14 in the City of

Vineland, for the purpose of storing processed soil.

3. To include an exempt leaf composting facility proposed by Maurice River Township on Block 250, Lot 5 (3790 Delsea Drive, Port Elizabeth, NJ).

To insure the broadest possible participation by the general public in this Plan Amendment process, the Cumberland County Board of Chosen Freeholders has scheduled a public hearing on Thursday October 13, 2003 at 7:00 P.M. at the Cumberland County Court House, 3rd Floor Freeholder Meeting Room. All County residents, public officials or organizations interested in Amendment No. 16 to the SWMP are encouraged to attend and offer testimony.

Inquiries and/or comments concerning this proposed Plan Amendment may be forwarded in writing to:

Cumberland County Board of Chosen Freeholders
790 East Commerce Street
Bridgeton, NJ 08302

or

Cumberland County Improvement Authority
2 North High Street
Millville, NJ 08332

Written comments must be received no later than 12:00 Noon, Thursday November 13, 2003.

2.0 SUMMARY OF CUMBERLAND COUNTY SOLID WASTE MANAGEMENT PLAN

The Cumberland County Solid Waste Management Plan was adopted by the Cumberland County Board of Chosen Freeholders on December 13, 1979, and approved with modifications by the Commissioner of the New Jersey Department of Environmental Protection (NJDEP) on March 4, 1981. The SWMP consists of an integrated approach to solid waste management that includes waste reduction, source separation and recycling, resource recovery, and landfilling.

The original SWMP set forth a process for siting a regional landfill to serve Cumberland County, developing a resource recovery facility to serve the County, and developing recycling programs in each municipality in the County. Furthermore, the plan designated the Cumberland County Improvement Authority (Improvement Authority) as the solid waste implementing agency within the County. In order to further develop the SWMP and meet the requirements of the Solid Waste Management Act and the Mandatory Source Separation and Recycling Act that was passed in 1987, the County prepared several plan amendments that are described below:

Amendment No.	Date of Amendment	NJDEP Approval	Purpose of Amendment
1	July 14, 1983	December 22, 1983*	Prepare background studies and update the Solid Waste Management Plan
2	March 15, 1984	July 30, 1984	Select site for Cumberland County Solid Waste Complex
3	May 8, 1986	October 9, 1986	Leaf and vegetative waste composting policy, interim disposal capacity, transportation analysis and construction debris
4	October 17, 1987	March 9, 1988*	County Recycling Plan
5	October 17, 1987	March 9, 1988*	Resource Recovery Investment Tax (RRIT) disbursement schedule, convenience centers, solid waste contingency plan, existing landfill closures and litter abatement partnership program
6	July 26, 1989	November 27, 1989*	Modifications to Amendment No. 4 and No. 5 as required by NJDEP

Amendment No.	Date of Amendment	NJDEP Approval	Purpose of Amendment
7	December 20, 1989	June 4, 1990	Use of RRIT funds for Material Separating Facility (MSF) and household recycling buckets
8	July 18, 1981	January 3, 1992*	Include recycling centers located in the County, development of a bulky waste recycling facility at the Solid Waste Complex and expand use of RRIT funds for MSF operating costs
9	June 9, 1992	September 18, 1992 November 17, 1992*	Revise RRIT fund disbursement schedule, include additional recycling centers located in the County, address recommendations of NJDEP Emergency Solid Waste Assessment Task Force Final Report and include blanket inclusion policy for recycling centers
10	April 14, 1994	August 15, 1994	Response to Governor's Emergency Solid Waste Assessment Task Force in the areas of recycling, enforcement, education and source reduction Plan for debris disposal from the demolition of the County Manor
11	December 15, 1994	April 27, 1995	Expanding Amendment No. 10, includes procurement practices, household hazardous waste collection program and collection of recyclables Delays construction of bulky waste recycling facility (see Amendment No. 8) and includes a class B recycling center into the County Plan
12	June 22, 1995	August 3, 1995	Inclusion of a class B recycling center into the County Plan
13	April 10, 1997	August 5, 1997	Revise RRIT fund disbursement schedule and deletes construction of bulky waste recycling facility from the County Plan (see Amendment No. 11)

<u>Amendment No.</u>	<u>Date of Amendment</u>	<u>NJDEP Approval</u>	<u>Purpose of Amendment</u>
14	January 15, 1998	April 24, 1998	Response to May 1, 1997 decision of the U.S. Court of Appeals for the Third Circuit, which declared unconstitutional New Jersey's historic system of solid waste flow control
15	May 11, 2000	October 9, 2000	Revised solid waste disposal strategy; Increased the permitted disposal capacity of the Cumberland County Solid Waste Complex (CCSWC) landfill; Added Block 76, Lots 18 and 19 and portions of Lots 2, 3 and 4 in Deerfield Township to the existing permitted CCSWC landfill site to provide additional buffer and storm water detention; Added Kennedy Concrete, INC., in the City of Vineland, as a Class B Recycling Center for the recycling of concrete; and Added Federal Disposal, Inc., in the City Vineland, as Class A/Class B Recycling Facility and as a Material Recovery/Solid Waste Transfer Station.

* Approved with modifications requested by the Commissioner of NJDEP

((

((

((

3.0 PROPOSED OPERATIONS AT THE SOLID WASTE COMPLEX

3.1 Purpose and Background

In accordance with the original Cumberland County Solid Waste Management Plan (CCSWMP), adopted by the Cumberland County Board of Chosen Freeholders on December 13, 1979 and approved by the Commissioner of The New Jersey Department of Environmental Protection (NJDEP) on March 4, 1981, the Cumberland County Improvement Authority (CCIA) constructed and is operating a regional sanitary landfill known as the Cumberland County Solid Waste Complex (CCSWC). The CCSWC is located on Jesse's Bridge Road in Deerfield Township, New Jersey, west of State Route 55.

The CCSWC was originally issued a Solid Waste Facility Permit by NJDEP on December 14, 1985 for a five (5) year period and renewed on December 31, 1990, July 28, 1997 and October 20, 2000 for additional five (5) year periods.

The CCSWC constructed on a 240.57 acre site of which approximately 75.50 acres are utilized for solid waste disposal and the remaining 165.07 acres used for ancillary structures required for the proper operation of the CCSWC.

1. Commingled Recyclables and Mixed Paper Transfer Station

In response to the mandatory Statewide Source Separation and Recycling Act, Amendments No. 4 through No. 11 to the CCSWMP were adopted to reduce the municipal solid waste stream in Cumberland County through recycling. Among these amendments was the funding for a Material Separating Facility (MSF) at which commingled recyclables generated throughout the county are received, processed, and distributed. Material processing and separation operations at the MSF commenced in October 1990, and continued until June of 2001 when Resource Recovery and Investment Tax (RRIT) funds were no longer available to off-set the operational costs of the facility.

The MSF now operates as a transfer station where commingled recyclables are loaded and shipped to the Cape May County Intermediate Processing Facility under a long term agreement with the Cape May County Municipal Utilities Authority that expires on June 30, 2007.

The CCIA is presently designing a commingled recyclables and mixed paper transfer station that will consist of four (4) Transtor units (each unit consisting of two - 50 cubic yard automated containers). Collection vehicles delivering commingled recyclables and mixed paper will discharge the materials into the properly designated units from an elevated area. When the units are full they will be emptied into 100 cubic yard walking floor trailers. Commingled recyclables will be delivered to the Cape May County Intermediate Processing Facility (or to another processing facility if contractual arrangements change in the future) and mixed paper will be delivered to market/brokers.

2. Tire Shredding Operation

In order to manage the existing incoming scrap tire stream, the CCIA purchased and installed two tire de-rimmers, a tire chipper, and a conveyer system with grant money received from the Scrap Tire Management Fund Entitlement Program in 2001. The tire shredder became operational in February 2003.

One of the main purposes of shredding/chipping these tires is to assist in preventing the formation of mosquito colonies, which typically occurs in whole, stockpiled tires. The resulting tire chips will be beneficially reused on-site at the Solid Waste Complex as follows:

- ❖ In the toe-of-slopes on active cells as a drainage medium to facilitate the percolation of storm water to the leachate collection systems. This will help eliminate ponding of water at the toe-of-slope, another potential site for formation of mosquito colonies.
- ❖ As fill (in lieu of solid waste) over the internal sumps in landfill cells 5, 6A, and 6B. This will provide a more porous medium at these locations and increase the storage volume of the internal sumps.
- ❖ As a pipe bedding/drainage medium in the leachate recirculation trenches upon approval by NJDEP.
- ❖ As a pipe bedding/porous medium in lateral landfill gas collection trenches.

- ❖ Tire chips are a permitted alternative material in the construction of the drainage bed of septic systems.

The tire shredding operation will be relocated in the Material Separating Facility and will be reconfigured to include a trammel and an oversize product conveyor. This will allow CCIA to produce two inch tire chips that can be used in the construction of septic drainage fields and develop other markets for the chips.

At the time that the tire shredding operation is relocated to the Material Separating Facility the CCIA will submit an application to NJDEP to be permitted as a Class B Recycling Facility for the recycling of tires.

3. Clean Wood Chipping/Recycling Operation

Currently, untreated and unpainted wood debris from construction projects and untreated wood pallets are accepted at the CCSWC and are landfilled. Tree trunks, branches, and stumps are not accepted for disposal at the CCSWC.

A major goal of the New Jersey Solid Waste Management Act is to provide for the maximum practical use of resource recovery/recycling. The chipping of tree trunks, branches, and stumps along with untreated and unpainted wood debris and pallets would create a marketable wood mulch and is a viable resource recovery/ recycling technology for this material.

At such time that the tire shredding operation is relocated to the Material Separating Facility, the pole barn building constructed on the asphalt transfer pad will be converted to a wood chipping operation that will include a tub grinder and trammel.

Source separated loads of clean wood debris and pallets arriving at the CCSWC will be directed to the clean wood chipping area where a marketable product will be produced and thus diverting a recyclable material from being landfilled. This operation will also allow for tree trunks, branches, and stumps to be accepted and chipped at the CCSWC.

4. Leaf Composting

Amendment No. 4 to the CCSWMP that lists existing and proposed leaf composting sites in Cumberland County as of October 1987, states: "The County Leaf Composting Facility will be located at the County Landfill Facility. This facility will be for use of municipalities within Cumberland County which do not have access to a composting facility. This facility will be sized to accept 3,000 tons of material per year."

To date, the leaf composting facility at the CCSWC has not been permitted or constructed.

Plan amendment 15 to the CCSWMP that was adopted by the Cumberland County Board of Chosen Freeholders on May 11, 2000 and approved by the Commissioner of NJDEP on October 9, 2000 added the gas easement through lots 2, 3, and 4 in Block 76 the portion of Lots 2, 3, and 4 to the north of the gas easement to the permitted area of the CCSWC.

It is the intent to clear a portion of the wooded area of Lot 2 for use as a leaf composting facility. CCIA will determine the annual volume of leaves to be composted at the facility and dependent upon the volume will make application to NJDEP as an exempt facility or as a fully permitted facility.

5. Household Hazardous Waste/Universal Waste Collection Facility

The CCIA conducts three household waste collection events annually. These three one day events eliminate approximately 16 tons of household hazardous waste annually from the waste stream that is landfilled.

While this is a significant accomplishment, the three one day events do not allow for the continuous collection of household hazardous waste requiring residents to store their household waste until the next scheduled collection event.

In addition to Household hazardous Waste, certain materials such as fluorescent light bulbs, lead acid batteries, oil and latex based paints, and used electronic equipment such as computers, cell phones, radios, televisions, video cassette recorders, CD players, etc. are considered

"Universal Waste" and are prohibited from disposed of in landfills. The collection of these "Universal Wastes" has been added to the household hazardous waste collection events and the success in collecting and removing this material from the waste stream indicates a need for collection these materials at a permanent facility.

The construction of a Permanent Household Hazardous Waste/Universal Waste Collection Facility is consistent with the Draft Update of the Statewide Solid Waste Management Plan, which states: "The Département should encourage and assist the rest of the counties to construct permanent HHW collection facilities to prevent the disposal of such waste in the municipal waste landfills".

To make the household hazardous waste/universal waste collection program available to all county residents on a permanent basis and to increase the amount of household hazardous waste removed from the waste stream CCIA will construct a Permanent Household Hazardous Waste/Universal Waste Facility at the CCSWC.

3.2 The Plan

Upon adoption of this Plan Amendment 16 by the Cumberland County Board of Chosen Freeholders and its approval by the Commissioner of NJDEP, the CCSWC is included in the CCSWMP for the following:

1. Commingled Recyclables and Mixed Paper Transfer Station
2. Class B recycling Center for Tires
3. Class B Recycling Center for Clean Wood
4. Class B Recycling Center for Leaf Composting
5. Permanent Household Hazardous Waste/Universal Waste Collection Facility

The facilities planned and discussed above are shown on an overall facility site plan included in Appendix A.

((

((

((

4.0 MID-ATLANTIC RECYCLING TECHNOLOGIES, INC. SOIL DESORPTION FACILITY

4.1 Purpose and Background

In October 1994, Casie Ecology Oil Salvage, Inc. submitted an application for inclusion of a soil desorption unit into the Cumberland County Solid Waste Management Plan. Plan Amendment No. 11 to the Cumberland County Solid Waste Management Plan, that included Casie/Protank into the Plan as a Class B recycling center for the purposes of operating a thermal desorption unit for contaminated soils, was prepared for approval by the Cumberland County Board of Chosen Freeholders.

The soil desorption unit was approved for inclusion into the Cumberland County Solid Waste Management Plan by Plan Amendment No. 11 which was adopted by the Cumberland County Board of Chosen Freeholders on December 15, 1994 and approved by the Commissioner of NJDEP Protection (NJDEP) on April 27, 1995.

On December 17, 1997 the City of Vineland's Zoning Board of Adjustment approved a redivision of Block 89, Lots 13 and 14, whereby 4.00 acres was subdivided from Lot 13 (owned by Akers Laboratories, Inc.) and added to Lot 14 (owned by Resultz, Inc.). By deed dated January 15, 1998, the four acres subdivided from Lot 13 were conveyed by Akers Laboratories, Inc., To Resultz, Inc. for incorporation into Lot 14. No Application (or notification) was submitted to the Cumberland County Improvement Authority to include these 4.00 acres into the Cumberland County Solid Waste Management Plan.

On March 18, 1998, The City of Vineland's Zoning Board of Adjustment granted a preliminary and final site plan approval to Resultz, Inc. that included the clearing of 2.9 acres of the 4 acres for clean soil storage in association with the soil desorption facility. The site plan referenced by the approval was prepared by Land Management & Environmental Services, dated 1-15-98 (revised 2-21-98) and entitled "Minor Site Plan for Clean Soil Storage Area". No Application (or notification) was submitted to the Cumberland County Improvement Authority to include these 4.00 acres into the Cumberland County Solid Waste Management Plan.

In the application for inclusion of the additional 4 acres in the CCSWMP it states: "At the time of acquisition of the Storage Area, the New Jersey Department of Environmental Protection ("DEP") determined that the Storage Area would not be subject to DEP regulation. In March 2000, the DEP informed MART that the Storage Area would be subject to regulation".

In order to comply with the NJDEP requirement that the 4 acres added to Lot 14, that are being used as a clean soil storage area, be included in the CCSWMP by plan amendment, an application for inclusion has been received from MART.

A copy of the application for the inclusion of the 4 acres is included in Appendix B.

4.2 The Plan

Upon adoption of this Plan Amendment 16 by the Cumberland County Board of Chosen Freeholders and its approval by the Commissioner of NJDEP, the additional 4 acres is included in the CCSWMP subject to the following conditions:

- ❖ The 4 acres are to be utilized strictly for the storage of thermally treated soil and no soil processing (including screening) of any nature will occur on the 4 acre area.
- ❖ The New Jersey Department of Environmental Protection shall, with the input of all interested parties, establish a permit limitation on the volume of soil that may be stored on the 4 acres and require that best management practices and operational procedures be implemented by the Permittee.
- ❖ The inclusion of the 4 acres in the CCSWMP as part of the permitted facility does not constitute an increase in the permitted capacity (through-put) of the facility. Any request for an increase in the permitted facility capacity will require inclusion in the CCSWMP by the formal plan amendment process.
- ❖ The terms of all Federal, State, and Local permits as well as the terms of any Administrative Consent Orders are to be complied with.

5.0 MAURICE RIVER TOWNSHIP LEAF COMPOSTING FACILITY

5.1 Purpose and Background

Plan Amendment No. 3 to the CCSWMP adopted by the Cumberland County Board of Chosen Freeholders on May 8, 1986 and approved by the Commissioner of NJDEP on October 9, 1986 included a blanket inclusion policy that provided for the inclusion of leaf composting facilities planned by any municipality within Cumberland County to be included in the CCSWMP by administrative action after the proposed facility is properly advertised with a 30 day comment period. The policy also provided that if any objections are raised during the comment period, the facility is subject to the formal plan amendment process.

In September 2002, Maurice River Township submitted an application to NJDEP to construct and operate a leaf composting facility on Lot 5 of Block 250 in Maurice River Township (3790 Delsea Drive in Port Elizabeth), under the exemption of N.J.A.C. 7:26A-1.4(a)13.

Advertisement for the application appeared in the Bridgeton/Millville news on September 25, 2002 and October 2, 2002 and one objection to the proposed project was received by the Cumberland County Solid Waste Coordinator on October 21, 2002.

Maurice River Township desires to proceed with the leaf compost facility and has requested to be included in this formal plan amendment process.

A copy of the original application submitted to NJDEP by Maurice River Township is included in Appendix C.

5.2 The Plan

Upon adoption of this Plan Amendment 16 by the Cumberland County Board of Chosen Freeholders and its approval by the Commissioner of NJDEP, the leaf composting facility proposed by Maurice River Township is included in the CCSWMP.

((

((

((

APPENDIX

A

((

((

((

GRAPHIC SCALE



(IN FEET)

1 inch = 200 ft.

MASTER FACILITY PLAN

FOR

CUMBERLAND COUNTY IMPROVEMENT AUTHORITY

CUMBERLAND COUNTY SOLID WASTE COMPLEX
DEERFIELD TOWNSHIP, NEW JERSEY

drawn KKH

designed

checked

approved

JCA Associates, Inc.



CONSULTING ENGINEERS, SCIENTISTS, PLANNERS,
SURVEYORS AND LICENSED DRILLERS

1256 NORTH CHURCH STREET, SUITE 3
MOORESTOWN, NJ 08057 (856) 722-6700

New Jersey Certificate of Authorization No. 24GA28004800

revisions

no. date

David W. Munion

N.J. PROFESSIONAL ENGINEER No. 32490

DATE

job no.

dwg no.

CCIAL06403

file no.

C1

scale 1" = 200'

APPENDIX

B

((

((

(()

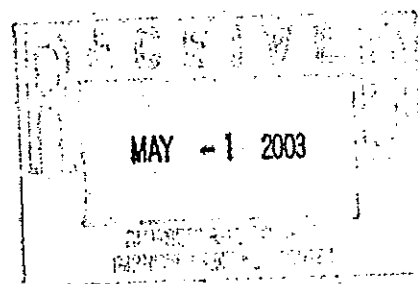
MATTHEW AZOULAY
Member of the NJ and PA Bar

DIRECT DIAL: 856.382.2252
E-MAIL: matt.azoulay@flastergreenberg.com

April 30, 2003

VIA OVERNIGHT MAIL

Bernard D. Germanio, P.E., P.P., D.E.E.
Chief Engineer
Cumberland County Improvement Authority
2 North High Street
Millville, New Jersey 08332



**RE: Mid-Atlantic Recycling Technologies, Inc. ("MART")
Class B Recycling Facility No. 0614001405
Cumberland County Solid Waste Management Plan**

Dear Mr. Germanio:

Please accept this letter and the enclosed documentation as MART's formal **Application for Amendment to Original Plan Inclusion**. This Application arises from Mart's need to include the four (4) acre recyclable product area (the "Storage Area") into the Cumberland County Solid Waste Management Plan. **Exhibit "A"** to this Application contains a Site Plan of the entire facility. A description of the uses of the site are as follows:

UNPROCESSED SOIL AREAS

1. Screening and crushing of unprocessed materials within the Storage Area in order to separate recyclable materials such as metal and concrete from contaminated soils and plastic. This is performed by the use of two (2) different screeners and a crusher as depicted in a copy of the manufacturer's design specifications attached hereto as **Exhibit "B"**.
2. Screening of unprocessed materials in the unprocessed soils building in order to separate recyclable materials such as metal and concrete from contaminated soils and plastic. This is performed in the unprocessed soil building by the use of the aforementioned screeners.

celebrating 30 years


PROCESSED SOIL AREAS

1. Screened and separated plastic and non-recyclable debris destined to be disposed of in a secure landfill are tagged in the outside unprocessed soil storage area as depicted in the attached site plan.
2. Screened and separated concrete is staged in the Storage Area order to allow such material to be loaded on trucks for shipment to New Jersey Department of Environmental Protection permitted Class "B" concrete recycling facilities. Removal of recyclable metal and minor amounts of plastic and non-recyclable materials would also take place in the Storage Area.
3. Screened and separated metal destined to be recalled are placed in roll-off containers as depicted in the attached Site Plan.
4. The placement of processed recyclable product on the Storage Area. The Storage Area has a staging capacity of recycled products as indicated in the attached site plan.
5. The creation of more valuable recycled end products by the screening and further segregation of processed soils and stone with the use of either screener identified in Exhibit "B". This activity is performed on the land immediately east of the outside unprocessed soil area as well as on the Storage Area.

As further clarification of the end uses for the recyclable treated soils, MART sells or otherwise transacts of the use of such materials, on an as generated basis by the TDU process, for use as industrial, commercial, and residential sub grade (below 6 inches) fill material. Additionally, MART sells or otherwise transacts for the use of such materials, on an as generated basis by the TDU process, for use as landfill cover at various local landfills. The screening of treated soils results in the generation of stone in various sizes and such stone is sold or bartered for use as sub-grade construction and/or fill material. Uses include sub-base materials for road and highway construction.

Thank you once again for your cooperation in connection with this matter. Please do not hesitate to contact me if you have any questions or if you require any additional information.

Very truly yours,



Matthew Azoulay

MA:ecs
Enclosures

April 30, 2003

Page 3 of 3

cc: Brian Horne (w/ enc.)
Greg Call (w/ enc.)
Franklin J. Riesenburger, Esquire (w/ enc.)

(("

(()

((

(

(

(



ATTORNEYS AT LAW • A PROFESSIONAL CORPORATION

COMMERCE CENTER
1810 CHAPEL AVENUE WEST
CHERRY HILL, NJ 08002
(856) 661-1900
FAX: (856) 661-1919
WWW.FLASTERGREENBERG.COM

MATTHEW AZOULAY
Member of the NJ and PA Bar

DIRECT DIAL: 856.382.2252
E-MAIL: matt.azoulay@flastergreenberg.com

May 22, 2003

VIA OVERNIGHT MAIL

Bernard D. Germanio, P.E., P.P., D.E.E.
Chief Engineer
Cumberland County Improvement Authority
2 North High Street
Millville, New Jersey 08332

**RE: Mid-Atlantic Recycling Technologies, Inc. ("MART")
Class B Recycling Facility No. 0614001405
Cumberland County Solid Waste Management Plan**

Dear Mr. Germanio:

Please accept this letter as a supplement to MART's Application for Amendment to Original Plan Inclusion dated April 30, 2003. As you are aware, the Application arises from Mart's need to include the four (4) acre processed soil stockpile area (the "Storage Area") into the Cumberland County Solid Waste Management Plan. The Storage Area was acquired by MART in January 1998 for the purpose of storing processed clean soil pending receipt of out-going orders for the soil.

At the time of acquisition of the Storage Area, the New Jersey Department of Environmental Protection ("DEP") determined that the Storage Area would not be subject to DEP regulation. In March 2000, the DEP informed MART that the Storage Area would be subject to DEP regulation and, as you are aware, MART has been diligently working to comply with such regulations as well as all other applicable Federal, State and local laws and ordinances.

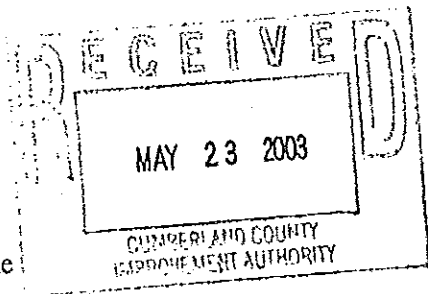
I trust that the contents of this letter provide you with sufficient background of the Storage Area and the purposes for which it will be utilized. Thank you once again for your cooperation in connection with this matter and please do not hesitate to contact me if you have any questions or if you require any additional information.

Very truly yours,


Matthew Azoulay

MA:ecs

cc: Brian Horne
Greg Call
Franklin J. Riesenburg, Esquire



celebrating 30 years

190 SOUTH MAIN ROAD
VINELAND, NJ 08360
(856) 696-6200
FAX: (856) 696-6200

216 NORTH AVENUE
CRANFORD, NJ 07016
(908) 245-8021
FAX: (908) 245-8021

2900 FIRE ROAD, SUITE 102A
EGG HARBOR TWP., NJ 08234
(609) 645-1881
FAX: (609) 645-1881

300 WALNUT STREET
PHILADELPHIA, PA 19106
(215) 569-1022

((

((

((

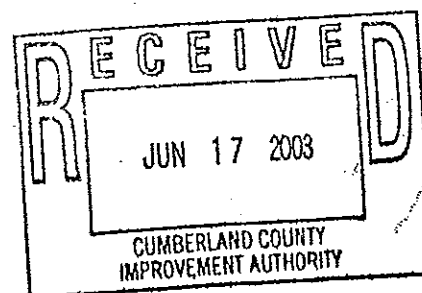
MATTHEW AZOULAY
Member of the NJ and PA Bar

DIRECT DIAL: 856.382.2252
E-MAIL: matt.azoulay@flastergreenberg.com

June 16, 2003

VIA HAND DELIVERY

Bernard D. Germanio, P.E., P.P., D.E.E.
Chief Engineer
Cumberland County Improvement Authority
2 North High Street
Millville, New Jersey 08332



**RE: *Mid-Atlantic Recycling Technologies, Inc. ("MART")
Class B Recycling Facility No. 0614001405
Cumberland County Solid Waste Management Plan***

Dear Ben:

Please accept this letter as a further clarification to MART's Application for Amendment to Original Plan Inclusion dated April 30, revised May 22, 2003 (collectively, the "Application"). As you are aware, the Application arises from Mart's need to include the four (4) acre *processed* soil stockpile area (the "Storage Area") into the Cumberland County Solid Waste Management Plan. You have deemed the application heretofore filed to be incomplete. While we disagree with your assessment and believe that all the information being provided herewith has previously been forwarded to you as part of the above-referenced Application, nonetheless, this correspondence is being provided to assure that the Application will proceed forward through the process and be considered "administratively complete".

1. **Storage Area.** Only screened and separated (processed) materials are staged in the four-acre Storage Area. The screening and crushing of unprocessed materials does not take place on the four-acre Storage Area.

2. **Soil Erosion and Sediment Control Plan.** As requested, enclosed herewith is the Soil Erosion Plan for Clean Soils Storage Area prepared by Land Management & Environmental Services dated November 18, 2002, which was approved by the Cumberland Soil Conservation District on December 11, 2002 (the "Plan").

celebrating 30 years

June 17, 2003
Page 2

My understanding is that the Application will now be considered administratively complete as you have represented to Franklin Riesenburger and that upon receipt of this correspondence and enclosure, the first public notice will be issued. Should I be in error, please promptly advise.

Very truly yours,



Matthew Azoulay

MA:ecs
Enclosure

cc: Brian Horne
Greg Call
Franklin J. Riesenburger, Esquire

from the desk of:
Brian Horne/President

Ben O



(856) 696-3435 • FAX 696-9227
3137 CHAMMINGS COURT • VINELAND, NJ 08360

October 14, 2003

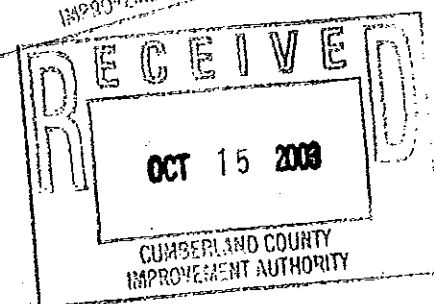
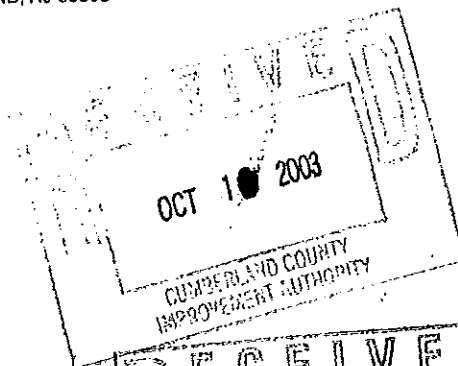
Mr. Steve Wymbs
CCIA
2 North High Street
Millville, NJ 08332

RE: MART SWAC Update of October 21, 2003

Dear Steve:

For the purpose of clarifying prior submittals made, please be advised that MART wishes to confirm the following:

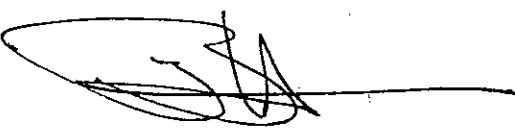
1. The site plan presented in Attachment "A" of my letter to the NJDEP dated September 12, 2003, depicts the 4 acre parcel of land which is the subject of the SWMP amendment. However and as the drawing indicates, that area is not part of MART's pending NJDEP permit application. In the future and as agreed with your office, MART shall include the 4 acres into the NJDEP permitting process upon approval by the Freeholder Board of the SWMP. It is important to note that the screening equipment depicted on the current drawing dated 8/19/03, should be treated as being deleted as only storage shall take place in that area. Finally and as relates to the same drawing, please be advised that while it is titled with references to "Rezultz" and "CASIE"; MART is the sole owner of the property and the NJDEP permit. Furthermore, prior drawings referred to an Area 6. That area no longer exists and screening of processed soils takes place in Area 5 immediately east of Area 4.
2. We would like to reiterate that the application for the 4 acres is and will only be for storage of clean recyclable soil and that the size of the storage area depicted is a maximum size. Needless to say and from a cost of business and profit margin standpoint, our preference is to continue to reduce the amount of product on site as we have done over the course of the past year. We have already agreed to size limitations with NJDEP permitting and have been notified that such size limitations will ultimately be reflected in MART's Class "B" permit just as size limitations exist in MART's ACO with the NJDEP.
3. So as to insure that all parties recognize the fact that Perry Barse's correspondence to the Freeholders, dated August 7, 2003, was totally irrelevant to the inclusion of 4 acre into the



SWMP, I have appended as Attachment "A", my correspondence of August 21, 2003 to the Freeholders setting forth the facts. Of note, the table presented in Attachment "B" of my letter to the Freeholders shows a net reduction of over 80,000 tons of clean soil in the short 10 months immediately after MART entered into its ACO with the NJDEP.

We trust that this correspondence is informative and will result in the reiteration of the previous unanimous affirmative recommendation by SWAC. In the meantime, I remain,

Sincerely yours,



Brian Horne
President

cc: Greg Call
Ben Germanio, CCIA

ATTACHMENT "A"

i(

i(

i(

from the desk of:
Brian Horne/President



(856) 696-3435 • FAX 696-9227
3137 CHAMMINGS COURT • VINELAND, NJ 08360

August 21, 2003

VIA HAND DELIVERY

Cumberland County Board of Chosen Freeholders
Administration Building
790 East Commerce Street
Bridgeton, NJ 08302

RE: MART / Barse Letter of August 7, 2003

Dear Ladies and Gentlemen:

MART is in receipt of Vinelands' Mayor Barse letter, addressed to you, dated August 7, 2003 and upon which the Freeholders delayed the vote of approval of the Cumberland County Solid Waste Plan modifications. While Mayor Barse's actions of August 7, 2003 were the "straw that broke the camel's back" and resulted in MART re-filing it's lawsuit against both the City of Vineland as well as expanding it to include Perry Barse as a defendant; MART remains concerned that the limited issue in front of the Cumberland County Board of Chosen Freeholders has been politicized. Indeed, the matter before the Board is totally unrelated to the "issues" raised by Barse in his above referenced letter and is a critical component of our agreement with the NJDEP. The fact of the matter is that Perry Barse is attempting to usurp the NJDEP regulatory authority and regulate MART himself while attempting to draw the Freeholders into an area of which he has no understanding.

Having stated the above and despite the fact that the "issues" raised by Mayor Barse are not related to the matter at hand, please allow me to set forth the truth as relates to the mis-information and fabrications of the truth presented to you by Mayor Barse. Incidentally, Perry Barse is being copied on this correspondence as the facts herein shall be included in MART's Libel Lawsuit against Perry Barse in his individual capacity as well as Mayor of Vineland.

For your convenience, I shall present the actual facts which correspond to the numerical "Items" presented to you in Mayor Barse's above referenced letter (attached hereto in Attachment "A"). The facts are as follows:



Item 1. (Page 2)

The NJDEP issued Class "B" permit allows MART to accept incidental concrete for processing. The term incidental is not defined in the permit and consequently I requested that the Department provide a definition so as not to have any future disagreements over the matter. While there is a 1% limitation on other "contaminants" (such as plastic, wood, trash), "Incidental by-products" (such as concrete) are excluded from the definition of contaminants and the associated 1% limit. My request of the NJDEP to provide a definition for the term "incidental" was both prudent and reasonable.

As relates to the location where managing unprocessed soils occurs, the Mayor is incorrect as to assertions that such an area is not disclosed. Specifically, the MART permit modification letter to the DEP dated April 9, 2003, MART's letter of November 14, 2001 to the DEP and most importantly, MART's attorneys' letter to the Cumberland County Improvement Authority, dated April 30, 2003, all make clear that crushing takes place within the unprocessed soil storage area (Area 4). Indeed, I would direct your attention to page 2, Section #4, of MART's correspondence dated November 14, 2001 (conveniently attached to Mayor Barse's letter) and this fact becomes abundantly clear.

Item 2. (Page 2)

MART crushed concrete in 1997 thru early 2000 on an intermittent basis. During that time, the City's zoning personnel toured our facility on numerous occasions and were fully aware of this fact. However, MART has not performed concrete crushing for over 3 years and currently does not own an operable crusher.

Mayor Barse is correct that I testified at the SWAC meeting regarding the amount of processed materials re-used by our clients. His recollection of 70% being re-used is correct. However, I clarified that 70% was calculated on a "dry weight basis". As an example, if 125 tons of soil was accepted into the facility and had a dry weight basis of 80%, then the dry weight basis of 125 tons would be "100 tons dry weight". 70% of the dry weight of incoming soil would be 70 tons. Notwithstanding this minor correction / clarification, apparently Mayor Barse is unaware of the fact that MART has been operating and performing more work between the dates of November 14, 2001 and August 7, 2003. For your perusal, I have included in Attachment "B" a continued table of the table being referred to by Mayor Barse. This information is reported to and reviewed by the NJDEP on a weekly basis. On a "as received" basis and at the end of July, 2003, MART's outgoing soil volume equated to 71.7% of the amount of soil brought in. On a "dry weight" basis and assuming a conservative 10% moisture content of the incoming material, the recycled volume equates to 79.66%. Accordingly and as is abundantly clear, my testimony was correct (albeit conservative) and is buttressed with supporting data - not fiction.

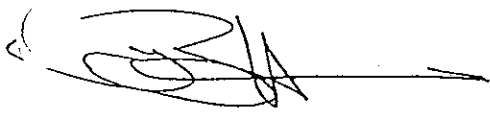
Item 3. (Page 2)

I apologize. I am unable to grasp Mayor Barse's point under this item Accordingly, we can not respond. However and as with Items 1 & 2 above, his comments / questions have nothing to do with the 4 acre parcel of land and are irrelevant to the matter at hand.

It is unfortunate that Mayor Barse did not fully review the correspondence provided to the CCIA and upon which the SWAC made its recommendation. It is more unfortunate that I find myself obliged to respond to his assertions which are libelous in nature, misleading, untrue, and totally unrelated to the inclusion of MART's 4 acre parcel of land into the Solid Waste Plan. Incidentally, MART's most immediate neighbor and adjacent landowner to the 4 acre parcel is supportive of an affirmative vote. Please see Chemglass' supportive correspondence in Attachment "C" hereto.

As perhaps you can surmise, both myself and my company MART have grown weary of the witch hunt upon which Mayor Barse has embarked. I humbly request that the Board of Chosen Freeholders expedite the review and approval of the 4 acre parcel of land and put aside the politicizing of Mayor Barse. MART's success and the livelihood of my many employees require an affirmative vote on this issue.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Brian Horne', with a long horizontal line extending to the right.

Brian Horne
President

cc: Albert Ciardi, III, Esq.
Mayor Perry Barse, City of Vineland

((

((

((

ATTACHMENT "A"

((

((

((

PERRY D. BARSE
MAYOR

RECEIVED
CUMBERLAND COUNTY
ADMINISTRATION

2003 AUG -8 PM 3: 01



August 7, 2003

Donna Pearson, Director
Cumberland County Board of Chosen Freeholders
Administration Building
790 East Commerce Street
Bridgeton, NJ 08302

Re: Mid Atlantic Recycling Technologies Inc. (MART)

Dear Director Pearson:

Enclosed please find the following copies of correspondence in reference to the company noted above:

1. A notice of deficiency sent by the State of New Jersey, Department of Environmental Protection, Division of Solid and Hazardous Waste to Mid Atlantic Recycling Technologies Inc. dated July 25, 2003 (Copy received in my office on Wednesday July 30, 2003)
2. A MART correspondence to NJ DEP dated November 14, 2001
3. A MART correspondence to NJ DEP dated April 9, 2003
4. A memo from City of Vineland Zoning Officer Patrick Finley to my attention, date August 7, 2003.

Items, 2 and 3 were obtained by my office from NJ DEP on Tuesday, August 5, 2003. They were requested by me after my receipt of the notice of deficiency (item 1). The purpose of this correspondence is to provide you and the Board with the information that has come to my attention since the SWAC meeting held last month. There are significant issues that affect my City that have come to light, as follows:



Item 1 - This notice of deficiency cites many deficiencies, including issues of concrete crushing (not allowed in our industrial park) and where it will take place on MART's property (not disclosed).

We find the request to accept loads of 50% concrete and 50% soils simply outrageous and not in conformance with City zoning regulations. This notice also states "MART is not approved to accept loads of concrete and is not included in the Cumberland County Solid Waste management plan for the acceptance of concrete".

In addition, under section 4, we have still not received from MART, to the best of our knowledge, any modification requests made to DEP by MART. We had to solicit them from NJ DEP "after the fact".

Item 2 - This correspondence of November 14, 2001, under section four, indicates that "crushing of concrete is also performed". Our request for this correspondence from NJDEP, and its receipt two days ago, was the first notification that this activity was taking place, in clear violation of local law. Neither MART nor NJ DEP ever disclosed to us that this activity was ever taking place.

At the SWAC meeting, Mr. Horne made the assertion that 70% of the soils being treated by MART were being returned to their source. The schedule included in this correspondence indicates that the number is more like 43%. Even allowing for volume reductions due to the process, there is still a serious deficiency involved here.

Item 3 - Section III, 1(A) (1) indicated the need for the "inclusion of recyclable concrete up to levels of 50% by weight as MART frequently encounters such materials and recycles such concrete". In addition, the sampling frequency being incorporated in Section III, 8 is termed "financially catastrophic" by MART. What is the disposition of this request? Is the public interest going to be protected?



I would surmise that, at some point in time, the unanimous vote by the SWAC committee will be discussed by MART. Needless to say, had I then been aware of this information I would never have voted my approval

Very truly yours,

Mayor Perry D. Barse
City of Vineland

PDB: jc

cc: Board of Chosen Freeholders
enclosure

((

((

((

ATTACHMENT "B"

((

((

((

MART SOIL ACTIVITY

	<u>Incoming Soil</u> (Tons)	<u>Outgoing Soil</u> (Tons)	<u>Net</u>	<u>Running Total</u>
1997	38,712.20	23,309.19	15,403.01	15,403.01
1998	40,196.12	800.49	39,395.63	54,798.64
1999	165,210.93	66,772.50	98,438.43	153,237.07
Jan-00	10,415.96		10,415.96	163,653.03
Feb-00	8,350.55		8,350.55	172,003.58
Mar-00	19,933.90		19,933.90	191,937.48
Apr-00	12,332.57	47.24	12,285.33	204,222.81
May-00	16,613.70		16,613.70	220,836.51
Jun-00	9,296.95		9,296.95	230,133.46
Jul-00	3,751.91	7,987.80	(4,235.89)	225,897.57
Aug-00	11,329.04	4,772.05	6,556.99	232,454.56
Sep-00	5,309.58	-	5,309.58	237,764.14
Oct-00	9,471.27	49.74	9,421.53	247,185.67
Nov-00	12,060.13	10,580.78	1,479.35	248,665.02
Dec-00	22,244.70	13,635.05	8,609.65	257,274.67
Jan-01	17,910.27	26,769.05	(8,858.78)	248,415.89
Feb-01	13,612.38	20,336.40	(6,724.02)	241,691.87
Mar-01	16,893.58	10,395.67	6,497.91	248,189.78
Apr-01	14,405.17	939.90	13,465.27	261,655.05
May-01	10,669.91	7,595.97	3,073.94	264,728.99
Jun-01	12,767.76	4,550.34	8,217.42	272,946.41
Jul-01	18,257.25	3,656.28	14,600.97	287,547.38
Aug-01	13,966.70	11,000.00	2,966.70	290,514.08
Sep-01	10,527.53	7,126.96	3,400.57	293,914.65
Oct-01	22,296.20	8,667.63	13,628.57	307,543.22
1-Nov	15,283.75	5,732.49	9,551.26	317,094.48
Dec-01	28,194.76	4,942.56	23,252.20	340,346.68
Jan-02	29,147.43	11,535.42	17,612.01	357,958.69
Feb-02	15,906.01	21,251.46	(5,345.45)	352,613.24
Mar-02	15,460.58	18,584.73	(3,124.15)	349,489.09
Apr-02	16,132.12	12,740.98	3,391.14	352,880.23
May-02	21,143.11	21,419.27	(276.16)	352,604.07
Jun-02	20,497.44	19,858.82	638.62	353,242.69
Jul-02	25,920.43	25,614.71	305.72	353,548.41
Aug-02	25,781.15	19,136.93	6,644.22	360,192.63
Sep-02	28,718.94	17,871.96	10,846.98	371,039.61
Oct-02	26,648.68	29,675.31	(3,026.63)	368,012.98

MART SOIL ACTIVITY

	<u>Incoming Soil</u>	<u>Outgoing Soil</u>	<u>Net</u>	<u>Running Total</u>
	<u>(Tons)</u>	<u>(Tons)</u>		
Nov-02	19,888.87	59,812.66	(39,923.79)	328,089.19
Dec-02	20,171.54	45,517.38	(25,345.84)	302,743.35
Jan-03	22,673.53	50,121.94	(27,448.41)	275,294.94
Feb-03	21,110.93	23,057.87	(1,946.94)	273,348.00
Mar-03	20,818.19	28,411.20	(7,593.01)	265,754.99
Apr-03	29,841.05	13,481.18	16,359.87	282,114.86
May-03	24,073.64	32,966.92	(8,893.28)	273,221.58
Jun-03	21,638.39	16,642.63	4,995.76	278,217.34
Jul-03	26,957.94	18,639.23	8,318.71	286,536.05
	1,012,544.74	726,008.69		

ATTACHMENT "C"

(

(

(



VINELAND INDUSTRIAL PARK
3861 NORTH MILL ROAD
VINELAND, NEW JERSEY 08360
TEL: 1-800-843-1794
FAX: 1-800-922-4361

E-MAIL: customer-service@chemglass.com
INTERNET: www.chemglass.com

August 7, 2003

To Whom it May Concern
& Brian Horne

Chemglass is the most immediate neighbor to MART and our property is adjacent to the four acres that MART would like to use for it's clean soil.

Chemglass has not had a problem with any of MART's operations for over a year and supports their efforts to continue to run a clean and safe operation.

Walter E. Surdam
President

(

(

(

APPENDIX

C

((

((

((

MAURICE RIVER TOWNSHIP PUBLIC WORKS DEPARTMENT
552 Main Street, Leesburg, New Jersey, 08327
Telephone: 856-785-2718 or Fax: 856-785-1974

Date: September 11, 2002

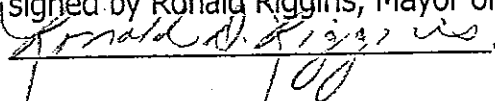
To: Mr. Robert M. Confer, Chief
New Jersey Department of Environmental Protection
Division of Solid and Hazardous Waste
Bureau of Resource Recovery and Technical Programs
P.O. Box 414
Trenton, New Jersey, 08625-0414

RE: Maurice River Township Compost Facility
#1 - Cumberland County
Compost Facility Regulations

Dear Mr. Confer:


Enclosed please find the information requested by the New Jersey Department of Environmental Protection's Division of Solid and Hazardous Waste regarding the Above-mentioned Compost Facility. The information requested in your letter to obtain an exemption for a recycling center general approval per N.J.A.C. 7:26A-1.4 (a) 14, is attached and includes the following:

1. **Operational Statement.** This serves as written notice of any and all exempt operations at the facility site and a brief narrative detailing each operation.
2. **Certification Statement.** This is the certification language requirement by the Department of Environmental Protection and it is signed by Ronald Riggins, Mayor of Maurice River Township,


Ronald D. Riggins

If there are any questions about the enclosed information, please contact Mr. Robert L. Dilks, Supervisor of Public Works, Maurice River Township, 552 Main Street, Leesburg, New Jersey, 08327.

Very truly yours,



Robert L. Dilks

✓ Enclosures

Cc: Mr. Steven Wymbs, Cumberland Co. Solid Waste Coordinator
2 North High Street, Millville, N.J., 08332

MAURICE RIVER TOWNSHIP PUBLIC WORKS DEPARTMENT
552 Main Street, Leesburg, New Jersey, 08327
Telephone: 856-785-2718 or Fax: 856-785-1974

CC: Mr. Dennis DeMatte, Cumberland Co. District Recycling Coordinator,
2 North High Street, Millville, N.J., 08332
Mr. Roy Oliver, Maurice River Township Clerk, 590 Main St., Leesburg,
N.J., 08327

OPERATIONAL STATEMENT

I am requesting an exemption from recycling center general approval for my **Maurice River Township Compost Facility**. Our compost facility meets the requirements of N.J.A.C. 7:26 A-1.4 (a) 14 as follows:

1. The facility receives only yard trimmings on 3.5 acres and receives no more than 1,400 cubic yards per year. (see attached site plan).
2. We DO NOT accept grass clippings at our compost facility.
3. The compost facility is not located on land purchased with any Green Acres money.
4. The facility is not located on lands which are County or Municipally owned parks, wildlife, sanctuaries, recreational facilities or any other similar open space.
5. The facility is included in a Solid Waste Management Plan of the Cumberland County Recycling District.
6. Composting windrows shall terminate no closer than 50 feet from the facility property line and 150 feet from any area of human use or occupancy. We are in compliance with this statute.
7. The facility has been graded to prevent ponding on the operating area. The operating area has been surfaced with gravel and sandy loam and is regraded once per month to prevent or remove any ruts. Surface water does not impact surrounding properties.
8. The perimeter of the composting activity area is surrounded by a combination of vegetative berm and wooded area.
9. The facility is partially fenced in with locked gates for access.
10. Our operator, Robert L. Dilks, is on site at times when yard trimmings are received.

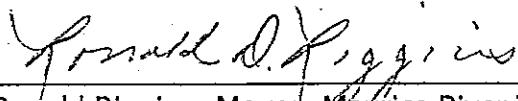
11. The facility hours are posted on the front gate (Monday thru Friday – 7:00 A.M. til 3:00 P.M.) as long as residents call the Public Works Department before arriving at the facility.
12. There is an adequate water supply available at our on site well to facilitate the wetting down of leaves before windrowing. The closest fire station is less than 1 mile away, and the 911 Number is posted on the sign on the front gate.
13. All approved methods of composting are met.
 - a. All leaves are collected loose by the Public Works Department by leaf vacuum machine twice a year (November and April).
 - b. The leaves are moistened prior to windrow formation.
 - c. The windrows are 6' high by 14' wide with a 16' aisle between windrows.
 - d. The windrows are turned once per month for 6 months and then are tub ground by machine into leaf mulch and wood mulch.
 - e. Our branches are not more than 4" in diameter and are chipped once every two months. The chips are tub ground by machine every 6 months.
14. Our operator, Robert L. Dilks, attended a composting course at Cook College in 2001 and a copy of the certification is attached.

CERTIFICATION STATEMENT

**MAURICE RIVER TOWNSHIP COMPOST FACILITY
3790 DELSEA DRIVE
#1
LOT #5/BLOCK #250**

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I further certify that the operations described herein satisfy the criteria for exemption as set forth in N.J.A.C. 7:26 A-1.4 (a) and (b). I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I understand that, in addition to criminal penalties, I may be liable for a civil administrative penalty pursuant to N.J.A.C. 7:26-5 and that submitting false information may be grounds for termination of any exemption."

Signed by



Ronald Riggins, Mayor, Maurice River Township
Date: 9-12-02



COOK COLLEGE

Continuing Professional Education

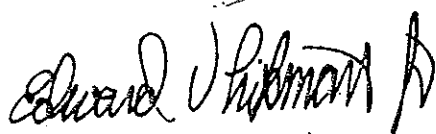
THIS CERTIFICATE IS AWARDED TO

Robert Dilks

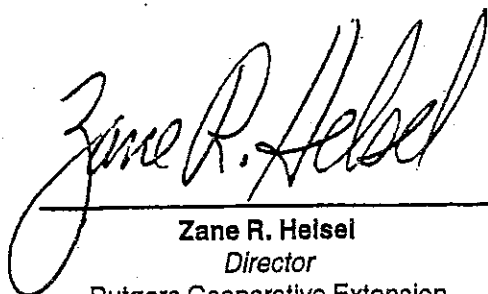
For the Completion of

NJ Compost Operator Certification Course

September 10, 2001



Edward V. Lipman, Jr.
Director
Continuing Professional Education

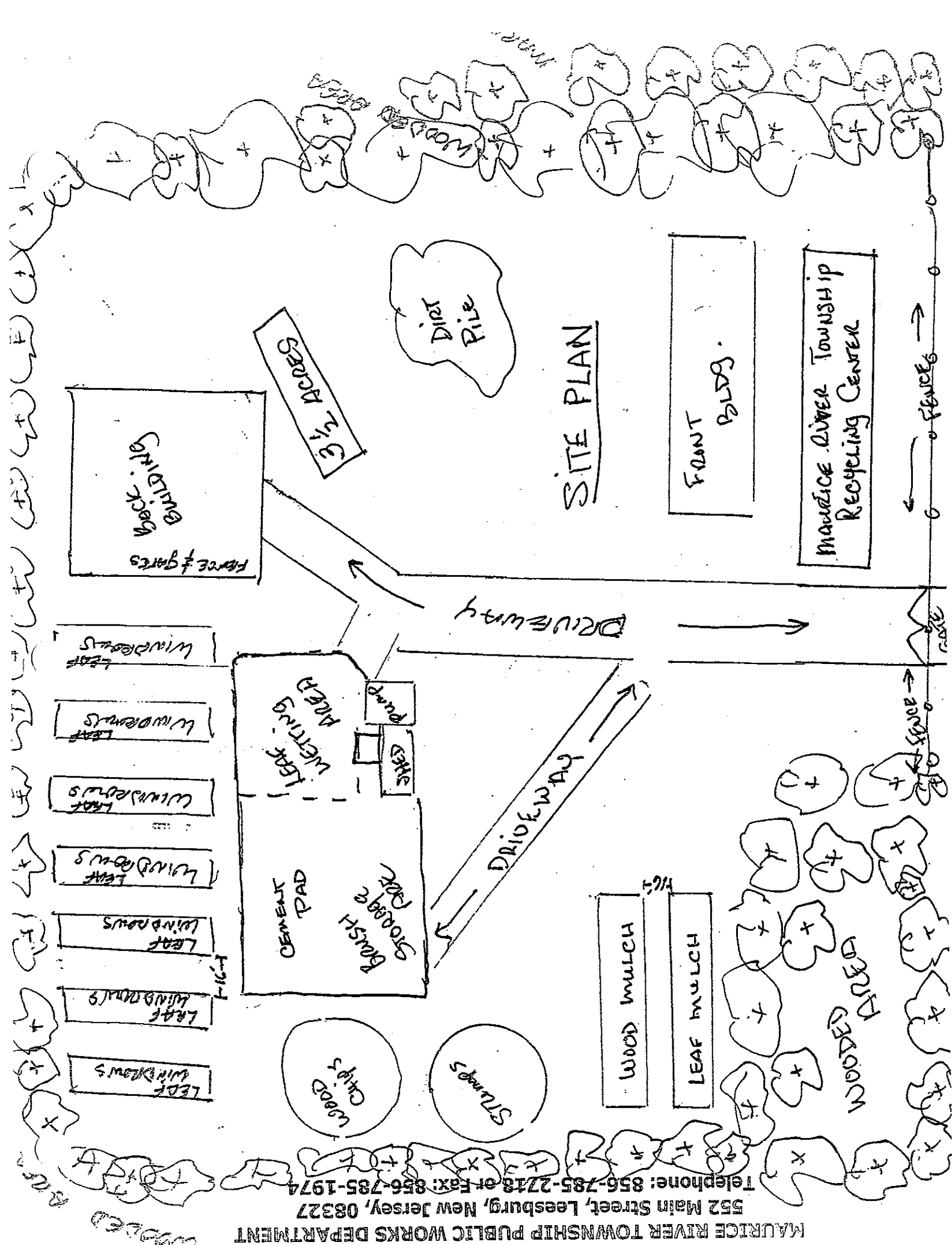


Zane R. Heisel
Director
Rutgers Cooperative Extension

552 Main Street, Leesburg, New Jersey, 08327
Telephone: 856-785-2718 or Fax: 856-785-1974

Handwritten signature: *[Illegible]*

Telephone: 856-785-2718 or Fax: 856-785-1974



MEMO

MEMO TO: Bob Dilks

FROM: Gordon Gross, Zoning Officer

SUBJECT: Block 250, Lot 5 - Maurice River Township Recycle Center

DATE: 9-10-02



Please be advised that the above property does not lie within the Wild & Scenic River corridor. The River Conservation District, which is the zoning district for this corridor, ends at the railroad tracks.

Maurice River Township

590 Main Street, P.O. Box 218

Leesburg, NJ 08327

Phone: (856) 785-1120 Fax: (856) 785-1974

1 PAGE FAX TO BOB DILKES

#67.50

36x36

MAURICE RIVER TWP.

COMPOST AREA

HOURS OF OPERATION

MONDAY - FRIDAY

7:00 AM - 3:00 PM

PLEASE CONTACT PUBLIC WORKS FIRST

856-785-2718

IN CASE OF FIRE - CALL 911

2" C

RED

ALL BLACK ON WHITE EXCEPT

EG

MR. BERNARD D. GERMANIO
CCIA
2N. HIGH ST.
MILLVILLE, N.J. 08332

SIR,

IN RESPONSE TO THE PROPOSAL SUBMITTED BY MAURICE RIVER TOWNSHIP, TO
PUT A COMPOST SITE, NEXT TO MY PROPERTY, I MUST STRONGLY OBJECT. AS I'M SURE
YOUR AWARE LEAVES CAN BE CONTAMINATED WITH PESTICIDES AND HERBICIDES, THAT
PEOPLE USE ON THEIR TREES AND LAWNS, ETC. THEREFORE I OBJECT TO THEM PUTTING
A SITE AT 3790 ROUTE 47, BLOCK 250, LOT 5, WHICH BORDERS MY PROPERTY.

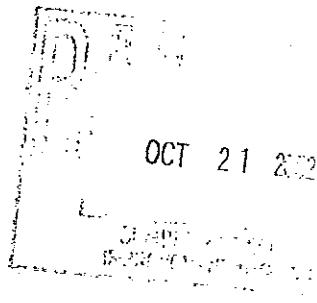
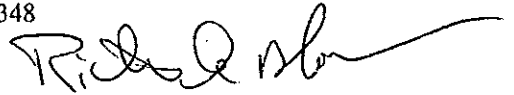
RICHARD DE BLOCK

ROUTE 47, BLOCK 250, LOT 3

POB 162

PORT ELIZABETH N.J.

08348



APPENDIX

D

(())

(())

(())



State of New Jersey

Christine Todd Whitman
Governor

Department of Environmental Protection
Office of the Commissioner
P.O. Box 402
Trenton, NJ 08625-0402
Tel. # 609-292-2885
Fax. # 609-292-7695

Robert C. Shinn, Jr.
Commissioner

October 9, 2000

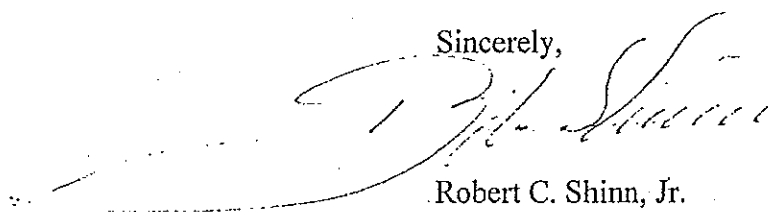
Honorable Douglas Fisher, Director
Cumberland County Board of Chosen Freeholders
County Administration Building
790 East Commerce Street
Bridgeton, New Jersey 08302

Dear Director Fisher:

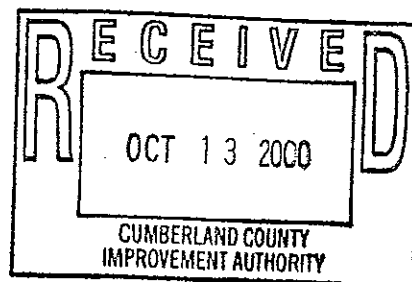
Enclosed is the certification of the solid waste management plan amendment which the Cumberland County Board of Chosen Freeholders adopted on May 11, 2000. The amendment, which proposes a multi-faceted strategy for managing Cumberland County's solid waste, is approved.

I look forward to working with Cumberland County in the continued refinement of its solid waste management plan.

Sincerely,


Robert C. Shinn, Jr.
Commissioner

RCS:KS
Enclosure



((

((

((



State of New Jersey

Christine Todd Whitman
Governor

Department of Environmental Protection
Office of the Commissioner
P.O. Box 402
Trenton, NJ 08625-0402
Tel. # 609-292-2885
Fax. # 609-292-7695

Robert C. Shinn, Jr.
Commissioner

**IN THE MATTER OF CERTAIN AMENDMENTS
TO THE ADOPTED AND APPROVED SOLID
WASTE MANAGEMENT PLAN OF THE
CUMBERLAND COUNTY SOLID WASTE
MANAGEMENT DISTRICT**

**CERTIFICATION
OF THE MAY 11, 2000
AMENDMENT TO THE CUMBERLAND COUNTY
DISTRICT SOLID WASTE MANAGEMENT PLAN**

BY ORDER OF THE COMMISSIONER:

A. Introduction

The New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.) established a comprehensive system for the management of solid waste in New Jersey. The Act designated all twenty-one (21) of the state's counties, and the Hackensack Meadowlands District, as Solid Waste Management Districts, and mandated that the Boards of Chosen Freeholders and the Hackensack Meadowlands Development Commission develop comprehensive plans for waste management in their respective districts. On March 4, 1981, the Department of Environmental Protection (Department or DEP) approved, with modifications, the Cumberland County District Solid Waste Management Plan (County Plan).

The Act requires that all district plans be based on and accompanied by a report detailing the existing waste disposal situation in the district, and a plan which includes the strategy to be followed by the district in meeting the solid waste management needs of the district for a ten-year planning period. The report must detail the current and projected waste generation for the district, inventory and appraise all facilities in the district, and analyze the waste collection and transportation systems which serve the district. The disposal strategy must include the maximum practicable use of resource recovery techniques. In addition to this strategy, the plan must designate sufficient available suitable sites for the disposal of the district's waste for a ten-year period.

The Act further provides that a district may review its County Plan at any time and, if found inadequate, a new County Plan must be adopted. The Cumberland County Board of Chosen Freeholders (County Freeholders) completed such a review and on May 11, 2000, adopted an amendment to its approved County Plan.

The May 11, 2000 amendment is multi-faceted and proposes to include in the County Plan:

- * A revised solid waste disposal strategy;
- * An increase in the permitted capacity of the Cumberland County Solid Waste Complex (CCSWC) landfill;
- * The addition of lots to the existing permitted CCSWC landfill site to provide additional buffer and storm water detention;
- * The addition of Kennedy Concrete, Inc., City of Vineland, as a recycling center for Class B material;
- * The addition of Federal Disposal, Inc., City of Vineland, as a recycling center for Class A and Class B materials, and as a transfer station/materials recovery facility (TS/MRF)

The amendment was considered administratively complete on May 25, 2000, and copies were distributed to various administrative review agencies for review and comment, as required by law. The Department has reviewed this amendment and has determined that the amendment adopted by the County Freeholders on May 11, 2000 is approved as provided in N.J.S.A. 13:1E-24.

B. Findings and Conclusions with Respect to the Cumberland County District Solid Waste Management Plan Amendment

Pursuant to N.J.S.A. 13:1E-24a(1), I have studied and reviewed the May 11, 2000 amendment to the County Plan according to the objectives, criteria, and standards developed in the Statewide Solid Waste Management Plan and I find and conclude that this plan amendment is consistent with the Statewide Solid Waste Management Plan. In this regard, the County Freeholders are notified of the issues of concern relative to the May 11, 2000 which are included in Section B.2. below.

In conjunction with the review of the amendment, the Department circulated copies to fifteen administrative review agencies and solicited their review and comment. Pursuant to N.J.S.A. 13:1E-24a(2) and (3), these agencies included various bureaus, divisions, and agencies within the Department. All agencies contacted are as follows:

Division of Parks and Forestry, DEP
Division of Fish, Game and Wildlife, DEP
Division of Compliance and Enforcement, DEP
Division of Water Quality Management, DEP
Division of Solid and Hazardous Waste, DEP
Office of Air Quality Management, DEP
Green Acres Program, DEP
Land Use Regulation Element, DEP

New Jersey Turnpike Authority
New Jersey Advisory Council on Solid Waste Management
Department of Agriculture
Department of Health and Senior Services
Department of Transportation
Department of Community Affairs
U.S. Environmental Protection Agency

1. Agency Participation in the Review of the May 11, 2000 Amendment

The following agencies did not object to the proposed amendment:

Division of Parks and Forestry, DEP
Division of Fish, Game and Wildlife, DEP
Division of Compliance and Enforcement, DEP
Green Acres Program, DEP
New Jersey Turnpike Authority
New Jersey Advisory Council on Solid Waste Management
Department of Agriculture
Department of Transportation

The following agencies did not respond to our requests for comment:

Division of Water Quality Management, DEP
Office of Air Quality Management, DEP
Land Use Regulation Element, DEP
Department of Health and Senior Services
Department of Community Affairs
U.S. Environmental Protection Agency

The following agency provided substantive comments as shown in Section B. of the certification document:

Division of Solid and Hazardous Waste, DEP

2. Issues of Concern Regarding the May 11, 2000 Amendment

Issue: Revised Solid Waste Disposal Strategy

In a previous amendment dated January 15, 1998, and certified as approved by the Department on April 24, 1998, Cumberland County set forth its initial response to the May 1997 decision of the courts which declared unconstitutional New Jersey's historic system of solid waste flow

control. The County adopted and implemented a market participant strategy which provides for voluntary delivery of solid waste to the CCSWC landfill.

In the May 11, 2000 amendment, the County proposes a multi-faceted plan to allow it to continue to charge competitive rates and meet all of its debt obligations and operating expenses without the imposition of any additional service charges. The County proposes a volume expansion of the CCSWC landfill by increasing the average tons per year disposed at the landfill from 149,000 tons per year to 200,000 tons per year. The County further proposes to negotiate contracts for disposal at the landfill for up to 1 million tons of the 1.4 million tons of additional disposal capacity by soliciting proposals from the private sector to contract for disposal rights. The anticipated 1 million tons so contracted will equate to an annual disposal of 50,000 tons. Since Cumberland County disposes approximately 150,000 tons per year at the CCSWC landfill, the 400,000 tons of capacity remaining in the volume expansion will extend the life of the landfill from its current projection of 2018 to 2020. Therefore, the County will comply with its statutory requirements of providing disposal capacity for Cumberland County residents for the 10 year planning period while also meeting its debt obligations. Finally, the County proposes to utilize approximately \$5 million of its own funds from its BPU Escrow Account for closure/post closure expenses.

Issue: Historical Background of the CCSWC landfill

The CCSWC landfill was initially included in the County Plan via an amendment dated March 15, 1984, and certified as approved by the Department on July 30, 1984. The facility was identified in the March 1984 amendment as located on Lots 34-37, Block 42, in Deerfield Township. A 1990 permit renewal allowed the bottom liner elevations of the landfill to be lowered which resulted in the lowering of the final contours in Cells 5, 6A and 6B. The subject amendment proposes to increase the capacity of the landfill by 2.2 million cubic yards (from 7.4 million to 9.6 cubic yards) to make up for the loss of permitted capacity lost by the lowering of the contours. According to the County, after allowing for the volume consumed by cover material, this will provide space for an additional 1.4 million tons of solid waste. Additionally, the subject amendment proposes to include Lots 18 and 19 and portions of 2, 3 and 4 in Block 76 to the permitted area of the landfill for additional buffer and storm water detention facilities.

Issue: Conditions of Operation for Federal Disposal, Inc. Recycling Center and TS/MRF

The May 11, 2000 amendment, in addition to including the Federal Disposal Inc. recycling center and TS/MRF in the County Plan, specifies a condition of operation for this facility. Specifically, the amendment states that all residual waste from the facility's operation is to be disposed of at the CCSWC under a "right of first refusal" agreement between Federal Disposal and the CCIA. As noted in Section C. of this certification, the Department approves the County Plan inclusion of the Federal Disposal, Inc. facility. The Department notes, however, that any provisions of the agreement between Federal Disposal and the CCIA remain subject to N.J.A.C.

7:26-6.12(b), which requires that a TS/MRF operate in compliance with any applicable district solid waste management plan as well as any amendments to a district plan and/or any administrative actions concerning such a plan.

Issue: Objections to the Amendment Submitted by Cape May County

The Department was provided a copy of a letter dated May 9, 2000 from Daniel Beyel, Cape May County Freeholder Director, to Douglas Fisher, Cumberland County Freeholder Director, objecting to specific provisions of the proposed Cumberland County Plan amendment which was subsequently adopted on May 11, 2000. On April 25, 2000, Cape May County adopted an amendment to its County Plan which limits the disposal options for waste generated within Cape May County to either disposal at an out-of-state facility or the Cape May County landfill. Specifically, Cape May County objects to Cumberland County's proposed residual disposal requirements for material that was generated outside of Cumberland County but processed through a Cumberland County facility, such as Federal Disposal's recycling center or transfer station/materials recovery facility (TS/MRF). Cumberland County has proposed that such residual material must be disposed at the CCSWC landfill under a "right of first refusal" agreement. Regardless of what contractual provisions to which Federal Disposal may have agreed, pursuant to N.J.A.C. 7:26-6.12(b), a TS/MRF must operate in compliance with any applicable district solid waste management plans as well as any amendments to and/or approved administrative actions concerning such plans, including the Cape May County Plan, as amended.

C. Certification of the Cumberland County District Solid Waste Management Plan Amendment

In accordance with N.J.S.A. 13:1E-1 et seq., specifically N.J.S.A. 13:1E-21, which establishes specific requirements regarding the contents of the district solid waste management plans, I have reviewed the May 11, 2000 amendment to the approved County Plan and certify to the County Freeholders that the May 11, 2000 amendment is approved as further specified below.

The County Plan inclusion of the revised solid waste disposal strategy is approved. Specifically, the proposed volume expansion of the CCSWC landfill (from 7.4 million to 9.6 cubic yards) is approved. The County's proposed increase in the average tons per year disposed at the landfill from 149,000 tons per year to 200,000 tons per year is also approved. Finally, the inclusion in the County Plan of Lots 18 and 19 and portions of 2, 3 and 4, Block 76 in Deerfield Township, Cumberland County to the permitted area of the CCSWC landfill for additional buffer and storm water detention facilities, is approved. The County intends to negotiate contracts for disposal at the landfill for up to 1 million tons of the 1.4 million tons of additional disposal capacity resulting from the expansion.

The County Plan inclusion of the Kennedy Concrete, Inc., facility, located at 1983 South East Avenue (Block 968, Lot 1), in the City of Vineland, Cumberland County, as a recycling center

for Class B material, specifically concrete, is approved.

The County Plan inclusion of the Federal Disposal, Inc. facility, located at the southwest corner of West Chestnut Avenue and Mill Road (Block 515, Lot 2), in the City of Vineland, Cumberland County, as a recycling center for Class A and Class B recyclable material, and as a TS/MRF, is approved. Specifically, the Class A operation will accept source separated or commingled recyclable material including: glass, aluminum, paper, plastic and cardboard. The Class B operation will accept: asphalt, concrete, brick, block, clean (untreated) wood, tile and assorted masonry, tree stumps, tree parts and tires. The Class A and B operations will accept a combined total of 300 tons per day of material. The TS/MRF operation will accept up to 600 tons per day of solid waste consisting of waste types 10, 13C, and 27. The TS/MRF will remove Class A and B recyclable material from the solid waste for transfer to the on-site Class A and B recycling facility for further processing prior to shipping to end markets. As noted in Section B., the contractual provisions of the "right of first refusal" agreement with the CCIA does not relieve Federal Disposal of its obligation to comply with N.J.A.C. 7:26-6.12(b), which requires a TS/MRF to operate in compliance with any applicable district solid waste management plans as well as any amendments to and/or approved administrative actions concerning such plans.

The construction or operation of any solid waste facility shall be preceded by the acquisition of all necessary permits and approvals pursuant to N.J.S.A. 13:1E-1 et seq., and all other applicable laws. The issuance of operating permits pursuant to the Solid Waste Management Act is limited to those applicants found by the Department and the Attorney General of the State of New Jersey to be deserving of licensing under the provisions of N.J.S.A. 13:1E-126.

The applicant (CCIA) must apply to the Department for a modification of its existing solid waste facility permit to authorize a capacity expansion and the facility's continued operation. This certification shall not be construed as an expression of the Department's intent to issue a solid waste facility permit modification for any proposed facility or operation.

This certification shall not be construed as an expression of the Department's intent to issue a recycling center approval to any recycling center for Class B materials. A recycling center approval shall only be granted where the applicant has submitted an administratively complete application, as per N.J.A.C. 7:26A-3.5, where all substantive criteria for approval set forth in N.J.A.C. 7:26A-3.2, 3.3, and 3.4 are satisfied, where a fee has been paid in accordance with N.J.A.C. 7:26A-2, and where none of the criteria for denial of a recycling center approval are met, as per N.J.A.C. 7:26A-11 and 12.

Pursuant to N.J.A.C. 7:26A-4.1(a)1.iii, Class B recyclable materials may be commingled only with other Class B recyclable materials and only to the extent authorized in the general approval issued by the Department.

D. Other Provisions Affecting the Plan Amendment

1. Contracts

Any contract renewal or new contract for solid waste collection or disposal which is inconsistent with this amendment to the County Plan and which was executed prior to the approval of this amendment and subsequent to the effective date of the Solid Waste Management Act (July 29, 1977), and which shall further be for a term in excess of one year, shall immediately be renegotiated in order to bring same into conformance with the terms and provisions herein set forth. Any solid waste collection operation or disposal facility registered by the Department and operating pursuant to a contract as herein described, shall be deemed to be in violation of this amendment and of the County Plan if such renegotiation is not completed within ninety (90) days of the effective date of this amendment provided, however, that any such registrant may, upon application to the Department, and for good cause shown, obtain an extension of time to complete such renegotiation.

2. Compliance

All solid waste facility operators and transporters registered with the Department and operating within the County and affected by the amendment contained herein shall operate in compliance with this amendment and all other approved provisions of the County Plan. Any facility operator or transporter who fails to comply with the provisions contained herein shall be deemed to be in violation of N.J.S.A. 13:1E-1 et seq., in violation of N.J.A.C. 7:26-1 et seq., and in violation of their registration to operate a solid waste facility or a collection system issued thereunder by the Department and shall be subject to the provisions and penalties of N.J.S.A. 13:1E-9 and 12 and all other applicable laws.

3. Types of Solid Wastes Covered by the District Solid Waste Management Plan

The provisions of the County Plan shall apply to all solid wastes defined in N.J.S.A. 13:1E-3 and N.J.A.C. 7:26-2.13 including waste types 10, 13, 23, 25, and 27 and all applicable subcategories and shall not apply to liquid and hazardous wastes. All nonhazardous materials separated at the point of generation for sale or reuse are subject to regulation in accordance with N.J.A.C. 7:26A-1 et seq.

4. Certification to Proceed with the Implementation of the Plan Amendment

This document shall serve as the certification of the Commissioner of the Department to the County Freeholders and pursuant to N.J.S.A. 13:1E-24c. and f., the County shall proceed with the implementation of the amendment certified herein.

5. Definitions

For the purpose of this amendment and unless the context clearly requires a different meaning, the definitions of terms shall be the same as those found at N.J.S.A. 13:1E-3 and -99.12, N.J.A.C. 7:26-1.4, -2.13, and N.J.A.C. 7:26A-1.3.

6. Effective Date of the Amendment

The amendment to the County Plan contained herein shall take effect, immediately.

7. Reservation of Authority

Nothing contained herein shall be construed as a limitation on any other action taken by the Department pursuant to its authority under the law. The County Plan, including any amendment made thereto, shall conform with the Statewide Solid Waste Management Plan, with appendices, which includes the Department's planning guidelines, rules, regulations, orders of the Department, and also includes the compilation of individual district plans and amendments as they are approved.

E. Certification of Approval of the Amendment by the Commissioner of the Department of Environmental Protection

In accordance with the requirements of N.J.S.A. 13:1E-1 et seq., I hereby approve the amendment, as outlined in Section C. of this certification, to the Cumberland County District Solid Waste Management Plan which was adopted by the Cumberland County Board of Chosen Freeholders on May 11, 2000.

10/9/00
Date


Robert C. Shinn, Jr., Commissioner
Department of Environmental Protection

APPENDIX

E

(

(

(



CUMBERLAND COUNTY SOLID WASTE ADVISORY COUNCIL

Regular Meeting Minutes

July 15, 2003 @ 7:00 p.m.

A meeting of the Cumberland County Solid Waste Advisory Council (CCSWAC) was held at the offices of the Cumberland County Improvement Authority (CCIA) located at 2 N. High Street, in Millville, New Jersey on Tuesday, July 15, 2003. Notice of this meeting as well as the agenda for same was sent to all CCSWAC Members (see attached list). The meeting was conducted by Steven R. Wymbs, Chairman of the CCSWAC and CCIA Executive Director and Bernard D. Germanio, CCSWAC Member and CCIA Chief Engineer. The meeting commenced at 7:00 p.m. and concluded at 9:00 p.m.

ROLL CALL

A sign-in sheet was circulated in lieu of roll call.

ATTENDANCE

The following SWAC Members were present:

City of Bridgeton / Director of Public Works, Mr. Wilbert Turpin
Commercial Township / Mayor, George Garrison
Deerfield Township / Mayor, John Stanzione
Downe Township / Mayor, Harry Wilson
Hopewell Township / Vice Mayor, Bruce Hankins
Maurice River Township / Mayor, Ronald Riggins
City of Millville / Supervisor, Streets & Roads Dept., Mr. Tom Walkup
Borough of Shiloh / Mayor, Howard Scull
Upper Deerfield Township / Mayor, C. Kenneth Hill
City of Vineland / Mayor, Perry Barse
Environmental Representative, Dr. Tim Jacobsen
Cumberland County Improvement Authority / Mr. Bernard Germanio
Cumberland County Improvement Authority / Mr. Steve Wymbs
Cumberland County Utilities Authority / Mr. Robert Widdifield
Giordano's Vineland Scrap Material / Mr. Joseph Giordano
Waste Management of South Jersey / Mr. Charles Mistretta

Representatives of Mid-Atlantic Technologies, Inc. in attendance:

Casie / Mr. Greg Call
Flaster Greenberg / Mr. Frank Riesenburger (Attorney for MART)

Mid-Atlantic Recycling Technologies / Mr. Brian Horne

Other interested parties in attendance:

Giordano's Vineland Scrap Material / Mr. Nicholas Giordano (Attended with Father)
Maurice River Township / Supervisor of Public Works, Mr. Barry Creamer

INTRODUCTION

Mr. Wymbs: I don't know that all that committed to coming are here, and I appreciate those that RSVP'd, but out of the 22 invitees at least 16 did RSVP so, I greatly appreciate that.

First I'd like to welcome everybody to the Improvement Authority's new home. For those of you who have not been here before, we've been in this building for approximately one year now. We used to exist a couple of blocks up the street in an office building that was rented and we thought we needed to make a little bit more of a commitment to the community and to showcase that the Improvement Authority is not just a Solid Waste Authority so we created this. I hope everybody enjoys the evening and we look forward to having a few more of these. SWAC has not met for quite some time as you are all aware even though everybody has continually been reappointed by the Board of Chosen Freeholders. This is our first meeting in a number of years and in doing so, the last couple of times we met there were a few things on the Agenda including bylaws and chairmanships that were never truly resolved. The bylaws issue is something that's been an ongoing thing for SWAC for quite some time. We will probably revisit that as the committee becomes a little more active which we would like the committee to do. There are a number of things going on at the State level. Before we go into the total agenda I would like to bring everyone up to speed locally on solid waste in general, statewide, and on solid waste in Cumberland County. The last time we met we discussed the debt service problems that a number of facilities were having. There still out there. The State has not formulated any kind of a direct plan on handling the debt service for struggling facilities, even though they do react to emergent situations. There has been over 140 million dollars given out to counties in the State of New Jersey to subsidize solid waste facilities that can not make debt service payments. Last year Camden got 19.4 million and is slated for this year to get 22.1 million. Atlantic's got a number of millions over the last couple of years. Gloucester's gotten their share. Mercer's gotten their share. Bergen's gotten 39 over the course of the last two years. The Cumberland County Improvement Authority has been able to negotiate with the State of New Jersey in releasing some of the economic regulations that they have. Prior to deregulation in 1997, as you are all aware, flow control existed in all 21 counties in the State and on November 07, 1997, that went away by court order. Waste has the ability to go basically anywhere it wants to without recognizing political boundaries. The Cumberland County Improvement Authority took a free market atmosphere and philosophy in dealing with solid waste, operating the facility more in an entrepreneurial type private sector manner than government as usual. Tipping fees came down across the State of New Jersey even though some places were not able to meet their debt services. Cumberland County Improvement Authority has done very, very well in deregulation. Our waste has increased. We brought it up to a projected standard that we want to maintain that continues the life of the facility out past 2016 which is actually beyond where it had been promised to the County Constituents for a number of years. We are working on new technology. As a matter of fact, we are pioneering new technology not only in the State of

New Jersey, but nationwide on what's known as a aerobic bioreactor process which is the injection and recycling of the leachate that comes through the landfill back into the landfill along with air injection wells. It is supposed to biodegrade the waste in a matter of three to five years. So a 30 year closure post closure program that's normally associated with the capping of the landfill we're hoping to prove to the State of New Jersey will not be necessary in the long run. It will reduce our leachate generation and processing and assist us in the long term operations. It is also projected to gain approximately 20% air space, which will again extend the life of the facility that much more. We are working on potential expansion plans. Those expansion plans in combination with landfill mining and the new coined phrase "sustainable landfills" could actually take the landfill in Deerfield Township out through 2025 to 2030 with minimal additional construction costs. So as you can see we're planning for the future. Our financial stability is absolutely wonderful. As a matter of fact, we have been able to contribute to Cumberland County and its tax base over the last two years to a tune of 2.5 million dollars to keep the County tax rate stable. 30% of our waste or our revenue stream does come from out of County sources but approximately 18% of what Cumberland County was generating at one point in time is going to other sources. So as you can see, waste has a tendency to just go anywhere it wants to right at the present moment. There are certain counties that have re-implemented flow control based on either a volunteer basis or a competitive procurement basis. We have argued that at a State level and the State is not necessarily behind that practice, but is leaving it up to the individual counties. Cape May and Gloucester both have actively pursued flow control issues and have implemented them. Enforcement of that in today's market is extremely difficult and waste continues to go away from those districts. The Improvement Authority is involved in a lot more issues beyond solid waste but this Board concentrates on the solid waste side of things so I'll keep things to solid waste and recycling.

The Authority recently signed a long term agreement / contract with Cape May County. As you are all aware, we used to operate our own material separating facility. All 14 Municipalities either deliver or we pick up or their recyclables from the convenience centers that they operate and they used to go to a material separating facility that further processed the material and sent it on end markets. We closed that facility down last year because the net affect of that was costing this Authority somewhere in the neighborhood of \$500,000 to \$600,000 a year in lost revenue. Recycling does not make money. There are certain segments that do, but it is not necessarily a money making process. Our deal with Cape May is that they take our recyclables for a 5 year period for free, as long as we can get them there. The Authority has gone into the hauling business. Not just with that contract but with a bid that we won at the Atlantic County Utilities Authority for solid waste. The Atlantic County Utilities Authority, even though they complained to the State Department of Environmental Protection that the Cumberland County Improvement Authority was taking away a lot of its waste. When that waste started to go back to that facility, they realized that they had more than they could handle and they put 25,000 tons of waste on the street in a bid and the Cumberland County Improvement Authority won that bid. We are now hauling that waste from the Atlantic County Utilities Authority Transfer Station to the Cumberland County Improvement Authority's Landfill. We were getting it anyway, now we're hauling it. We're not only making money on the solid waste that's coming in but we're making money on the hauling contract. So it's beneficial on a number of avenues for

It also protects our revenue stream that much further. So, those are some of the steps that we've moved into, protecting the facility and its long term life expectancy for Cumberland County. We continue to operate the facility as a private business, which we believe is the only way in which to do things properly. We offer more and more programs out to the municipalities. Our Derelict Housing Program is something that the City of

Bridgeton is probably one of the largest municipalities that's taken advantage of the program. Mayor Barse through his administration now has taken an active roll in looking at that program and has been utilizing it, but it is offered to every municipality that is out there along with the continuation of our free bulky waste days that we've always offered. Last year we put an Environmental Enhancement Grant on the street. The Authority decided that we would develop an Environmental Enhancement Grant Program for civic groups and organizations that did not have taxing powers. Last year's Environmental Enhancement Grant was \$300,000. We put another \$300,000 Environmental Enhancement Grant on the street this year. So there's \$600,000 worth of programs over the last two years that the Authority is doling out to civic organizations and non-profit groups for the betterment of the environment in Cumberland County. Projects include tot lots that have been made from recyclable materials. There's three of those that have been constructed in the City of Millville already. We've financed, in partnerships with the City of Vineland and the YMCA, the YMCA Skate Park. The park was made from recyclable materials. We financed the new docks at the Bayshore Discovery Project. All of those docks were built with recycled plastics. The program ranges anywhere from a \$1,000 grant to a \$50,000 grant, depending on the level of the application. We've financed everything from trash and recycling receptacles in parks all the way up to the docks at the Bayshore Discovery Project. The largest one was the Vineland Skate Park. This year's grant applications have been closed out. Last year we received \$545,000 worth of applications. This year we received \$465,000 worth of applications. It's a competitive grant and we're in the process of evaluation those grants for this year.

The State of New Jersey is extremely pleased with the operations of the Authority's facility and how it is giving back to the community and is encouraging these types of programs statewide. However, 95% of the solid waste authorities that are in the State are not in the financial condition that the Improvement Authority is in to be able to do things like that. So, we're very, very proud of those projects. We're happy that we can do them and we look forward to continuing them and expanding them. There are a number of other projects that we continue to do including school projects, educational projects, recycling education is a very, very large thing that we continue to promote. Our Annual Environmental Fair attracts over 400 4th graders through our facility for recycling education. The Authority's aspects beyond that go into economic development roles not just projects of this nature but we're working on projects right now in the City of Bridgeton, the municipality of Deerfield which is also our host community, and we're looking at expanding and growing our municipal financing abilities. We also financed the last two years of the County Marketing Campaign. Hopefully each one of you have seen either print, billboard, heard radio, or seen television advertising. We're now out in the market place searching private sponsorships for the continuation of that marketing campaign so it no longer relies on public sector dollars, but it has been an extremely successful campaign and it has brought a tremendous amount of business and interest to relocate to Cumberland County. It has also opened the eyes of those that have resided here for a long time. Some of the comments that we get back about the commercials where they don't even remember that some of those things that we depict in the commercials are actually in Cumberland County, so people are rediscovering their own back yards which is a wonderful thing.

With that, I don't know whether anyone has anything to add or would like to comment, but I think that we could move on with the agenda. Again, welcome to our new offices and we look forward to hosting more SWAC Meetings here. I think it should be more of a regulated activity. I'm the Governor's appointed Chair of the New Jersey Solid Waste Advisory Council and we are making that agency much more active now. It used to meet four times

a year, it's now meeting monthly. The 14 member appointment list is on the Governor's desk for signature and we should have an active State SWAC in a very short period of time and with that I'd like to invigorate this Board a little bit more in its activity and hopefully get it more involved in some of the things that are happening in solid waste and some of the things that the community itself, not just the municipalities, but the private sector has in its concerns that either we might be able to assist with as an Authority or the Board might collectively be able to vote upon and forward resolutions to the State on or I myself could take back to the State SWAC and present the issues of the local district.

CUMBERLAND COUNTY SOLID WASTE ADVISORY COUNCIL NOMINATIONS

Chairman:

Mr. Wymbs: The previous Chairperson, I believe was Mr. Jacobsen. It goes back quite some time and unfortunately, the minutes do not necessarily reflect any of this. I only throw that out as potential suggestions for nominations but, at this point in time, I will accept nominations from the floor, and it's not proper to nominate anyone that's not in the room. So, we'll go through Chair and Vice Chair at this point in time and then turn the meeting over to presentations and discussions on Plan Amendment No. 16. Does anybody have any nominations for Chair at this point?

Mr. Bernard Germanio nominated Mr. Tim Jacobsen for Chair.

Mr. Joseph Giordano seconded the nomination.

Mr. Wymbs: Are there any other nominations on the table? Hearing none; let the record reflect that the nominations are closed.

The vote was unanimous, the motion carried.

Dr. Tim Jacobsen was declared Chairman of the Cumberland County Solid Waste Advisory Council.

Vice Chairman:

Mr. Wymbs: I will turn the podium over to you sir for election of Vice Chair if you would like, or if you would like me to continue I will do that too.

Dr. Jacobsen: You should continue.

Mr. Wymbs: I thank you very much. I am looking for nominations for Vice Chair. Yes sir, you would like to make that nomination or you would like to be that nomination?

Mayor Barse: I would like to nominate Joe Giordano.

Tim Jacobsen: I will second that nomination.

Mr. Wymbs: Excellent nomination. Are there any other nominations from the floor? Hearing none; let the record reflect that the nominations are closed.

The vote was unanimous, the motion carried.

Mr. Joe Giordano was declared Vice Chairman of the Cumberland County Solid Waste Advisory Council.

Mr. Wymbbs: Welcome gentlemen and thank you very much. We will be in direct contact with both of you gentlemen on much more of an active basis. There's a lot of things going on including the last item on the agenda which is the revisions to the Statewide Solid Waste Management Plan that need to be discussed and acted upon. With that, I'd like to go into the proposed Plan Amendment.

One of the most important things that this body does is, recommend the forwarding on of proposed inclusions for projects in Cumberland County into the Cumberland County Solid Waste Management Plan. That includes Class A Recyclers, Class B Recyclers, solid waste facilities, transfer stations, and any other solid waste and recycling activities. We have three proposals on the agenda tonight.

The first one is a codification of the operations of the Solid Waste Complex. There have been a number of changes and alterations of the operations of the complex in the last couple of years that we've placed in this amendment.

The second one is a presentation by Mid-Atlantic Recycling Technologies Soil Desorption Facility. Their representatives are here this evening also to make that presentation.

The third is Maurice River Township Leaf Composting Facility. I believe either Maurice River or Ben can make that presentation also.

Mr. Germanio: Mayor Ronald Riggins is here from Maurice River Township.

Mr. Wymbbs: With that, I will turn the meeting over to Ben for the proposed amendment for the Solid Waste Complex aspects.

Mr. Germanio: I think everyone received a copy of the draft of Plan Amendment No. 16. What we are proposing at the Solid Waste Complex, and I only have one drawing here right now...this drawing is being finalized by our consultants, but it will give you an idea of where we're planning some of these activities. The first item is a commingled, recyclables, and mixed paper transfer station. As Steve pointed out earlier, we ceased operations at our Material Separating Facility and we're loading our vehicles that take the commingled recyclables to Cape May with front end loaders. What we are proposing to construct in the area between the parking lot of the MSF and the sediment basin for the asphalt pad where we have the tire recycling facility is an elevated area where the delivery vehicles delivering the commingled and newspaper will pull up onto, we're proposing four units; each unit consisting of two containers that are automated. The delivery vehicles would dump their commingled into these 50 yard containers. Once the recyclable or commingled containers are filled, the 100 yard walking-floor will pull alongside the container and they would operate automatically and dump into the tractor trailers. So that's the first thing that we have here in the plan.

The second item is relocating the tire shredding operation. With the Material Separating Facility no longer in use it's our plan to sell, auction off, or whatever we need to do with the equipment inside that building so that we can utilize that building for tire shredding

operations. It would give us the opportunity to put in a repeat line and a trommel so we can trommel tire chips down to a 2" size and hopefully develop markets for the chips such as use in septic systems which the DEP has now approved but they also specify a 2" size.

Mr. Wymbs: Just to add to the tire recycling facility, last year we purchased with the assistance of a grant from the State of New Jersey, a tire shredder and two de-rimmers. We have not publicized that widely because we do not want to be the tire repository for all of South Jersey. We are accepting Cumberland County tires only and we are willing to assist in public clean up projects but we do not at this point in time, maintain a philosophy that we want to go in and clean up private tire piles. We will assist any municipality that has a problem on public lands but self created tire problems are still the problems of the owners of those properties. We do not have the philosophy right at the present moment that we will accept tires from anywhere in South Jersey. As a matter of fact, we have a problem, not a problem, a difficult determination because tires do not come with an address stamped on them when they hit a transfer station and we do get transfer station waste. So the transfer station tires are an extremely difficult issue. What we try to encourage is that those transfer stations that do get tires in their loads, keep those tires until they get a container full and then they take them to a registered recycler. We don't want full loads of tires into our facility. We do project that we're going to get between 40,000 and 50,000 tires a year anyway. That's just about what we've been handling. So, hopefully new markets will begin to open up for tires and tire shred and we are now prepared to at least take Cumberland County's tires and have some levels of responsibilities for the clean up and the assistance of the tire problem in Cumberland County itself.

Mr. Germanio: The other thing with regard to the tire shredder is we have the tire shredder there to take care of the tires that we receive at the Solid Waste Complex as we have since the facility began operation in 1987 and we shred those tires for use on site as explained in the Plan Amendment for use around pipes, for bedding and drainage medium (tape 152) around our leachate recirculation pipes, we use them in toe of the slopes on the landfill to facilitate drainage, we're using them in the low areas of the sump or the cells where what we call the sump is located where leachate flows to and is pumped out. That helps the drainage in that area also. As I mentioned before, one of the things that we hope to use them for is drainage beds in septic systems.

Question: What did you do before you got the tire shredder?

Mr. Germanio: We used to ship them off.

Mr. Wymbs: We had a couple of occasions where we brought tire recyclers in with shredders and would pay them on a per tire basis. Then we hired a company that would spot trailers for us and take them back to the recycling facility and/or we would lease trailers and take them up to a tire recycler in Pennsylvania.

Mayor Riggins: Is it safe to say then that you are accepting tires at the County level from municipalities?

Mr. Wymbs: We have been.

Mayor Riggins: It is our understanding from Maurice River that the Improvement Authority is not. We have approximately 200 tires that need to be disposed of.

Mr. Wymbs: Give me a call and we'll talk about it. We're trying not to take tires in bulk. Depending on who you talk to...they may have extended that philosophy out. But as you know, anytime we can assist a municipality that has a problem, I'm assuming they're at your Convenience Center?

Mayor Riggins: Yes

Mr. Wymbs: Ok. We'll come down and take a look at them.

Mr. Germanio: There's one thing that we have included in here, as I say, we're not a permitted recycling facility for tires. We're strictly a facility that has a shredder there to shred tires that we get out of the solid waste stream from within the County. But we would like the option that's pointed out in the plan to, at some point in time, become a fully permitted tire recycling facility as the markets develop and we make sure we can get rid of the shreds and chips.

Mr. Joseph Giordano: Talking about the shredder, and I don't mean to jump back but you started to talk about your recyclables, and your transfer...are you still going to be bidding out the paper as you have been doing?

Mr. Wymbs: Yes.

Mr. Joseph Giordano: That's not going to change then?

Mr. Wymbs: No. The paper side of the operation will not change. It's only the commingled side that we're putting the transfer station in for and that's the only portion of the agreement that relates to Cape May.

Mr. Joseph Giordano: And when you talk about shredding, I just know that when you talk about shredding tires I think it's a good idea. Have you ever thought about shredding plastics that you take in...separating the high density and PET? There are markets for that.

Mr. Wymbs: That would go back to the operations of the facility and the way in which we used to do it and that's...unfortunately the age of the facility, the technology that was being used at the time, because it was one of the first of its kind that was built a number of years ago, and the maintenance on the facility got to be too expensive. To be able to have a facility that will accept them for nothing over this five year period we thought was a wonderful deal in our investigation of the market.

Mr. Joseph Giordano: I agree it is quite costly to separate these items because you have plastic, you have the high density bottles, you have the PET, you have the glass, you have the tin, and you have aluminum cans and it's very labor intensive to do that and I agree with you.

Mr. Wymbs: If the philosophy of the County years ago had been to establish a source separated recycling program at curbside, it would have been a lot easier to do exactly what you do or what you're suggesting.

Mr. Joseph Giordano: I'm just saying that if you already have a shredding operation and you have a buyer to take low and high density bottles or PET and bring back to the facility

and you start shredding it. That type of stuff is marketable today after it's shredded for \$.10 to \$.15 to \$.18 a pound Right now it's around \$.10 a pound.

r. Germanio: What size is the shred?

Mr. Wymbs: ¼" Chip

Mr. Germanio: We would never get into that.

Mr. Joseph Giordano: Because that's the only way it can be marketed today overseas because China doesn't want it bailed anymore. They want it all shredded.

Question: Are tires still \$2.00?

Mr. Wymbs: Yes, for a car tire.

Mr. Germanio: Ok, moving on...the next thing that we are looking to do at the Solid Waste Complex once we relocate the tire shredding operation into the Material Separating Facility would be to start a clean wood chipping or recycling process particularly for a lot of pallets that we get in. We feel these materials, clean wood and shredded material similar to what they make in Bellmawr can be produced. They have an operation up there where they chip all the pallets that they get in and all the clean wood that they get in and they put it through a dye process and get different color, red, blue, green, ornamental mulch, etc. That's one of the things that we would be doing out there. That would be located in the area where the shredder currently is and that's on the asphalt transfer pad.

Another thing that we've had a need for quite a while is a leaf and vegetative waste composting area and we're proposing to start that operation at some point in time by either getting permitted as a fully permitted facility or going under the exemption that a lot of the municipalities have for composting leaves. That area would be to the northwest of the landfill and on some of the property that was added to our Solid Waste Permit with Plan Amendment No. 15.

Question: How will that affect municipalities that already have a composting facility?

Mr. Germanio: It shouldn't affect them.

Mr. Turpin: We wouldn't be mandated to haul to this facility?

Mr. Germanio: No, we would encourage municipalities to continue to use their existing facilities.

Dr. Jacobsen: I guess the question Ben is, what needs do you see coming in and whether or not it meets the needs because several municipalities already have composting facilities.

Mr. Germanio: You mean the ones that don't.

Dr. Jacobsen: And that you're getting it in the stream.

Mr. Germanio: For instance I know there's a leaf composting facility in Upper Deerfield Township but it's a privately owned and operated facility.

Mr. Wymbs: The Township has an agreement with...the leaves that come into the Convenience Center correct?

Mayor C. Kenneth Hill: We do not accept leaves at the Convenience Center. What we have with the prior owner, which was Emerald Grow and we were committed to dump all of our leaves there.

Mr. Germanio: But does that agreement extend to the new owners?

Mayor C. Kenneth Hill: We're still working on that. What we have is a number of nursery people who have a need for leaves this year and we were able to dispense to them until we work out this agreement. The new owners are a little tough to deal with.

Mr. Germanio: I know Upper Deerfield will be a candidate, Fairfield Township, and Hopewell Township.

Mr. Wymbs: We've run into a number of occasions with our Host Community. There's a dire need.

Dr. Jacobsen: So you've got to do something...so that's what the need is.

Mayor C. Kenneth Hill: I'll tell you, if you have nurseries in your community...a lot of nurseries are interested in the leaves. A lot of them don't have some of the larger (unintelligible) that they need to add to the soil, that's been an alternate for our Township before and after Emerald Grow. We were able to (unintelligible).

Mr. Germanio: The regulations that DEP passed in December of last year, that went into effect the beginning of the year that allows the farmers to get permission to land apply leaves.

Mr. Germanio: The final item that we want to include in our Plan Amendment is some permitting for more permanent household hazardous waste collection facility. It's really household hazardous waste/universal waste. There's a lot of universal waste out there that we cannot accept at the landfill and we cannot accept bulk quantities of those items such as fluorescent light bulbs, ballasts, lead acid batteries, lead based paints, oil based paints, and latex paints. They are all universal waste. We get a lot of these things on the household hazardous waste collection days that we have, but we still have a lot of times in between events where we get calls...I'm moving, can you take this material off my hands...they want to get rid of it in the proper way, but they don't have a place to get rid of it. We're looking at building a facility that would enable us to collect and store these materials. A lot of electronics, computers, T.V.'s, VCR's, and telephones are also universal waste.

Question: Is this in addition to the collection days?

Mr. Germanio: We're going to promote an electronics waste collection in conjunction with the household hazardous waste days. It's a very popular program. But don't show up at the landfill with a dumpster load of computers and keyboards because you'll be turned away.

Mr. Wymbys: Those are the types of issues that we're looking at in establishing drop off points. What we're looking at is creating a u-shaped roadway right off of the Convenience Center of the facility that residents could access to be able to have drop off stations for paints, lead acid batteries, fluorescent light bulbs, garden chemicals, anything that the facility cannot and should not accept. Asbestos will continue to be handled the same way it always has been and specific hazardous chemicals beyond normal household use chemicals are not something that we're concentrating on. We will still hold household hazardous collection days but as the use of that type of a proposed facility grows, then we would just encourage residents to utilize that more and more. I know it's difficult for some people to store chemicals or fertilizers or paints. We just want the ability to reduce the activity on any single day. Our last Household Hazardous Waste Collection Day was held in a driving rain storm and it almost doubled the amount of activity that we had previously seen on any other collection day. We had well over 500 vehicles come through the site in a matter of four hours. It was the largest Household Hazardous Waste Collection Day to date and we're now seeing the need to either increase the number of days that we have per year or establish some sort of permanent drop off facility.

Question: Would you do this as buildings or a series of open tops or...?

Mr. Germanio: We haven't gotten into the actual design of the building yet. It could be one building with individual units to house various things with the capability of going in and in the case of say your electronics or your lead acid batteries, your lead acid batteries would be put in a tote and you would be able to pick them up with a forklift and the electronics would be shrink wrapped for us to be able to get in with a forklift. You would need access to each individual units they would be to be segregated once they got there. Whether they would be individual small sheds at this time or one big building, we have not gotten into the specifics.

Question: Not a series of open tops.

Mr. Germanio: No

Mr. Wymbys: They have to be out of the weather, they have to be in a controlled environment, and they have to be monitored constantly so there would have to be landfill personnel assisting with the logging in and documentation of all the material because anything that then goes out via manifest has to be matched to anything that came in and whatever inventory you have on hand. There are a couple of these in the State of New Jersey. There are approximately five of them in the Delaware Valley Region. They all operate out of one single building with a loading dock area. The one problem with storing certain aspects of household hazardous waste inside like that in mass quantities is the air handling issues and the fire prevention and protection issues that you have to go through and the insurance issues that it causes. When you establish lean-to-type structures for the acceptance of that material and then convey it out before it gets to large quantity size, you're not subject to some of those regulations so I think we're looking more towards smaller lean-to-type stations where the resident can pull up alongside a sidewalk area and an attendant can get out with them, assist them, and place this under a roofed-in but three sided open air area.

Mr. Walkup: And that would be no charge like the three collection days?

Mr. Wymbs: At the present moment we aren't anticipating any charge. In the future, I can't guarantee that.

Question: How about the quantities?

Mr. Wymbs: As the quantities alter or change...there are a lot of things that can be done with material...Eco-Paints are developed now...by mixing all the different colors of latex paint that comes in, the Atlantic County Utilities Authority operates a paint reclamation program where you can drop off your latex paints and they open the cans and decide whether or not the paint is usable and if it's usable and hasn't been frozen or it's solid, then they put it on a shelf and label the color and other people can come in and pick up those cans and go out and paint whatever they want to paint with them. There are also programs right now where they mix every color together in one big batch. It's creates this absolutely horrid brown! Why anyone would want to use it is beyond me, but people do.

So that's pretty much the proposals from the Cumberland County Improvement Authority and the operations of the Solid Waste Complex. All of these things are to enhance the facility and to enhance the services that we offer out to the municipalities and the residents of Cumberland County so hopefully you'll consider this positively in its recommendation to move forward.

Question: Do you expect it to be (unintelligible)

Mr. Wymbs: No, not at all.

Dr. Jacobsen: I guess we should entertain a motion to...

Mr. Wymbs: I don't know whether you would want to do that in individual sections or by group? If you prefer to do it sectionalized and judge each application on its merit then that would be fine too.

Dr. Jacobsen: That would make it easier. Let's do that. May I have a motion to accept the proposed operations at the Cumberland County Improvement Authority's Solid Waste Complex? The motion was made by Mr. Wilbert Turpin, Director of Public Works for the City of Bridgeton and seconded by Mr. Ronald Riggins, Mayor of Maurice River Township. The vote was unanimous (see attached vote sheet).

Dr. Jacobsen: Any discussion?

Mr. Germanio: We'll do a roll call.

Dr. Jacobsen: Ok. If there's no discussion, could you please call roll. Please see the attached vote sheet.

Please note that when Mr. Wymbs' name was called for the roll call/vote, he stated that "I'm the Solid Waste Coordinator, I don't know that I'm allowed to in that capacity."

Dr. Jacobsen: I think he's listed as the Ex-Officio.

Mr. Wymbs: Yes, exactly and you were then the appointment. That's the way we did it.

Mr. Wymbbs: The next item on the agenda is a presentation by Mid-Atlantic Recycling Technologies, Inc. Their representatives are here this evening. I'd like to first introduce the background of this facility a little bit. This facility was already brought into the Solid Waste Management Plan through Plan Amendment No. 11 that was submitted back in 1994. It was accepted into the Plan for the operations that they now have. It was permitted by the State of New Jersey and operates under that permit and the inclusion into the Cumberland County Solid Waste Management Plan. The application that you have in front of you tonight is for a piece of property that was purchased by the applicant, by the operators of the Soil Desorption Facility as a processed soil stock piling area. It is an area that is currently being used by the facility and the reason that it is in front of this Board tonight is that the determination was that anytime a proposed lot line change in an application that involves a lot and block description is altered in the application of the facility, that it requires Plan Amendment inclusion and/or re-approval. The application tonight does not entertain any alteration of the operations of the plant. The only thing that is being considered right now is the inclusion of the additional four acres that they are currently utilizing as a processed soil stock piling facility. With that I would like to introduce the representatives of the facility to make any presentation or add anything.

Mr. Riesenburger: Good evening, I'm Frank Riesenburger. I'm with the office of Flaster Greenberg. I have here Mr. Call from Casie and Mr. Horne from MART. I just wanted to briefly indicate of course that the application is in fact in 4.0 and it's on Page 13 and as Steve has mentioned, if you turn to Page 6, Page 6 has your various Amendments and this was Amendment No. 11 and this was the MART Facility that was included back when the Recycling Centers in the County Plan under Amendment No. 11. What was envisioned at that time was that the processed materials would in essence become some soil that could be used by the Cumberland County Landfill as cover material and that has come forward and has been quite productive for all concerned. Over the course of the now, almost decade, probably about eight years, since the facility has been providing Class B recycled soils. Several thousand tons of material has been provided to the Cumberland County Landfill as cover material and has probably been done at a savings of several hundred thousands of dollars at least to the Cumberland County Landfill and as Steve has mentioned, the application now is for the formal inclusion of the four acres on which the stockpiled or processed material are stored are formally made part of the plan. The actual facility is on 8.29 acres in which has a soil desorption unit and that has always been part of the plan. It has been part of the Plan since Amendment No. 11 and this is sort of like a need here to cross all the T's and dot all the I's to make sure that full compliance is at hand and then bring the four acres into the Plan on a formal basis. If you have any questions about any part of this application or the operations of the facility, we have people here to answer your questions, I can, or Mr. Call, or Mr. Horne. Once again, this is not an expansion, there's no additional operations, it's just making sure that the entirety of the site is brought into the CCSWMP and that would include this four acres now which is dedicated to the storage of processed materials.

Mr. Hankins: Is that the section on the sketch plan that's listed as clean soils storage area?

Mr. Riesenburger: Yes, that's correct.

Mr. Hankins: It doesn't have the same block and lot number as the other.

Several people speaking at once, rustling papers...cannot transcribe.

Dr. Jacobsen: This activity is only on lot 14. Block 49

Mr. Riesenburger: Yes, that is correct.

Mr. Germanio: Originally the re-division was Lot 13 and 14.

Mr. Riesenburger: You are correct.

Mr. Joseph Giordano: Is this storage for clean soil?

Mr. Riesenburger: Yes, that is correct.

Mr. Joseph Giordano: What do you do with the soil that comes in that is not clean that has to be processed?

Mr. Riesenburger: The rest of the facility, which you'll see here on the left side of the map, in front of you, is a thermal desorption unit which takes care of the material that comes in that is contaminated with petroleum hydrocarbons. It's a thermal desorption unit that cleans materials and creates a processed material which is either cleaned or it's not and it's going to be re-processed.

Mr. Joseph Giordano: I'm just trying to understand the storage. You just bring in a certain amount that the plant can handle and after it's processed, it's put in storage on this four acre site, is that what you're saying?

Mr. Riesenburger: Either it finds a home, in that it is returned to the owner of the property that has contaminated the soils and is brought into the MART Facility and after it's processed it's either returned, not all materials can be returned. The major soils can be returned like PSE&G and others that have large facilities that are probably primarily manufactured gas facilities. That material is all returned. However, there are smaller operations, like let's say Mom and Pop, where there might be oil spills and there might be 40 tons or 100 tons...that's not going to go back to Mom and Pop because they can't possibly do that, so it has to find a home. This area that has been provided on four acres is to have that four acres available so that there can be a home found for these materials. As I mentioned to you before, several hundred thousand tons has been provided already to the Cumberland County Landfill as cover material and other landfills get it as cover material as well. They are using this material and there is a home for this material and it is a matter of making sure that it gets a proper home. Sometimes you have to go through a procedure with a potential receiving facility or landfill to make sure that testing is done and everything is in order with the quality of the product. And then that forces (unintelligible) but you need an area that has the ability to store the material while that's going on.

Mayor Garrison: I think you misunderstood his question. His question was, contaminated soils, when they're inbound, before they're processed, where are they stored? Do you understand, not the processed material afterward, inbound, before it's stored, where it is stored and what kind of volume is stored?

Mr. Riesenburger: They are stored on what's called an unprocessed pile and as you can see, there's an area marked out on your drawing designated with a circle around it and is says preprocessed soil. That is regulated by the NJDEP and there are four telephone poles

that are located at the extremities to mark out that area not only in terms of its length and width, but also its height and the DEP comes in regularly to inspect it to make sure that it does not exceed the limits. MART is in compliance as we speak in terms of all of those requirements both as to the preprocessed soil and as to the clean soil storage area and the inspectors come in every week.

Mr. Walkup: I understand the third paragraph of Page 14 that this area is in fact subject to the DEP regulations. It contradicts itself. First it says it's not and then it says in March of 2000, the DEP informed MART that the Storage Area would be subject to regulation.

Mr. Riesenburger: Yes, we can argue forever on whether the regulations require that a Recycling Facility of this nature comes under the Solid Waste Management Plan of Cumberland County. If we look at the actual language of the regulations it may be that it's not but certainly in the policy it definitely is and Steve and I have discussed this before.

Mr. Wymbs: On numerous occasions.

Mr. Riesenburger: So we defer. We say hey we're coming here and we would be more than happy to make this application before the Cumberland County Solid Waste Advisory Council.

Mr. Walkup: So the answer to that would be yes.

Mr. Riesenburger: Yes. The answer is yes.

Mr. Germanio: Tom, if I could clarify that paragraph...what I'm attempting to say there is that in the application that MART submitted to us they indicated that at the time of the acquisition of the Storage Area they did not have to, that was in 96 and then in March of 2000 they were told that they did have to.

Dr. Jacobsen: So in other words, it has to be included in the Plan to get DEP approval. My understanding is that the material is already being stored there.

Mr. Wymbs: That is correct.

Mr. Joseph Giordano: And then it says in here "In order to comply with the NJDEP requirements that the 4 acres added to Lot 14, that are being used as a clean soil storage area, be included in the CCSWMP by plan amendment, an application for inclusion has been received from MART."

Mr. Riesenburger: That is correct.

Mr. Joseph Giordano: Is that the thermal...I'm not familiar with the process that much but do you store the thermally treated soil out there, that's clean after you thermally treat it?

Mr. Riesenburger: Yes, but certain standards have to be reached in terms of the usage, whether it's residential usage or commercial usage and that's regulated by the DEP.

Mr. Germanio: Yes.

Mr. Wymbbs: I'm sure a lot of you are aware of the facility. It's not just our knowledge. This facility has been the subject of a number of newspaper reports and discussions about the operations of the facility and the CCIA has entertained many discussions with MART and it's operating people and their attorneys on not just the acceptance of the processed soils coming into the plant but the essence of tonight's application. Please understand that the application tonight is only for the inclusion of that four acres. It is not for any further discussions on the processed or the unprocessed material or the operations of the facility. We are not here to rehash all of what's been in the papers over the last year. We're not here to argue whether or not the DEP enforcement regulations are being forced upon them and they're complying with it. We are only here to consider the four acres of the application that we have in front of us. The Authority and the applicant have entertained meetings with concerned parties so that we could try to resolve any potential questions that may come in front of this Board, the Improvement Authority Board, or the Freeholder Board as it pertains to this application. The Authority, its Chief Engineer, had some questions, as did some of the concerned parties over this additional soils area. Also understand that the City of Vineland approved the re-division of these properties approximately two years ago through its Planning Board and one of the things that the Authority and this Board has to correct, in administrative aspects, is notification of all municipalities and their planning structures when something involves a recycling facility or a solid waste facility anywhere in the County, there must be notification to this Board and to the Cumberland County Improvement Authority that activity has taken place. We were entirely unaware and unfortunately, it took not only us by surprise but MART by surprise, when the determination was made that the inclusion of this four acres was mandatory by our policy standards to the Solid Waste Management Plan. There were a number of questions that were proposed and discussed during a group of meetings; run off from the site, wind blown particulates, heightened stockpiles, volumes in stockpiled areas, length of time the processed soil would be stored and what happens when the stockpile reaches capacity. Those are all valid issues. They are also permit issues as it pertains to their operations regulated by the Department of Environmental Protection. The aspects of what this Board can do as a Recommendation Board to the Board of Chosen Freeholders and the potential approval that it may give to forward on to the State, would be to consider any of those issues as valid issues if they want to include them as conditions to their recommendation. Again, they're all just recommendations. They're all open for discussion. But they are all in some form or fashion regulated by other entities whether it be local enforcement, State enforcement, or Soil Conservation District so, I don't know what the feelings of this Board would want to be on structuring any potential clarifications to this application and how strongly you feel about that recognizing that all of the issues that I just mentioned are regulated issues that they have to meet in furthering their processing and continuing their operations.

Dr. Jacobsen: As we've done in the past, our issue is that it be consistent with the Solid Waste Management Plan. The issues of permitting and other issues are for people after that. Our appointment is just to say that it is an accepted activity provided it meets the permitting requirements. Our job is not to deal with permitting requirements it is to find acceptable recycling things. So the issue we're dealing with is if it meets the criteria of recycling and this one seems to have been caught in the catch 22 side with the footprint changing and it really may be that the storage facility after it was done was part of the original facility. The original time it was permitted in 97 and it was obviously brought up then and it took them until 2000 to realize that it should have been in the SWMP.

Mr. Wymbbs: Correct.

Mr. Germanio: In conjunction with that consistency, I think we can if the Board so chooses to make recommendations that the DEP would consider, they're not bound by any recommendations that we make, but if we wanted to include recommendations in the Plan Amendment we could also do that.

Mr. Wymbs: Yes. One of the recommendations that we made in the application to the applicant itself was that a clarification of no further processing of the processed material happen on this property. That was acceptable to the applicant because this is a processed material that has already gone through the plant and that there would be no additional processing of the material whether it be screening, tromeling (sp?) or additional activity with the soils basically it's a marketable material that is waiting to be moved to those markets. In doing so it still needs to meet Cumberland County Soil Conservation District approval for run off, buffer maintenance, height maintenance is established by DEP, size of pile, length of time, and all of the standard regulatory requirements that the Department will impose.

Mr. Widdifield: So this is a clean soil site and when you take it off site that disposal site doesn't permitting does it?

Mr. Wymbs: That's a very interesting question because I was going to, and probably already should have gone into that. One of the discussion that the attorneys from MART and I have had is why this property needs to be included in the CCSWMP. When processed material that meets regulatory requirements is clean soil, it can go anywhere it wants to. It comes to the CCIA if it meets land application standards we stockpile it in our borrow pits in unlined areas. At certain limits of processed material or unprocessed material it goes directly to the landfill. If this piece of property was separated by another piece of property would it be required to be in the Plan. That's a good question. Nobody's been able to answer it as of yet.

Mr. Riesenburger: The DEP has said that it wouldn't be.

Mr. Wymbs: Exactly. Because it's attached to the processing facility...

Mr. Joseph Giordano: Is this considered clean fill?

Mr. Wymbs: Yes.

Many people speaking at once – cannot transcribe

Dr. Jacobsen: So it's being produced maybe at a rate faster that it's be sold so it's a place to park it.

Mr. Wymbs: The processed material is supposed to meet land application standards. As long as the process meets land application standards and the soils are acceptable to that and certified by a lab then the material is clean fill and can essentially move anywhere it would like to by State regulation.

Question: So while it's on their property it has to be regulated by the DEP.

Mr. Wymbs: There's the one that kind of got the hook into it because in the subdivision it was connected to the existing processing site.

Question: But as I understand it, when it's brought to your facility and you stockpile it, you're not under any DEP regulations.

Mr. Wymbs: That's correct. When South State processes petroleum contaminated soil through their facility, they stockpile it, it's tested when it comes out of their facility, they bring it to us, it meets land application standards, it goes in the borrow pits. It's the same thing that we're dealing with here. It can be mixed, we're considering trommeling operations and adding nutrients back into the soil because their process takes all the nutrients out of the soil, to possibly turn the material into something more usable that could be land applied and/or offered out as fill. So it's an interesting question. It's an interesting catch 22. It hasn't necessarily been defined under a legal aspect, but we recognized is this four acres altered the lot lines of the facility and therefore it required the inclusion into the Plan.

Dr. Jacobsen: So in other words, if there was a non-adjacent lot we probably wouldn't be having this discussion?

Mr. Wymbs: That's probably correct.

Question: So when you say lot lines, you're meaning internal boundary lines on their property. Not infringing on the neighbors property?

Mr. Wymbs: Not infringing on the neighbors. There actual boundaries of the property. The minute that was altered from the original approved application back in 1995 was the determining factor that it needed to come back to the board.

Question: And that Amendment No. 11 was the site plan and not just the block and lot number?

Mr. Wymbs: That was site plan, block and lot, property description.

Mr. Widdifield: So it's still the same block and lot now?

Mr. Wymbs: That's correct.

Mr. Germanio: It was a re-division.

Mr. Wymbs: It was a re-division.

Mr. Widdifield: The original plan said Block 89, Lot 14.

Mr. Wymbs: But the original plan identified X amount of acres that have now changed and the acreage has changed and lot descriptions have changed and unfortunately we got into this catch 22. We had at least three meetings where we argued the philosophy of that and believe me, the State is still doing it.

Question: What happens if we don't approve this Amendment?

Mr. Wymbbs: I would assume, I would not answer for the applicant, but I would assume at that point in time that the applicant would challenge the necessity of being in front of this board because of the processed material and its "clean aspects of land application and its ability as a product to move anywhere." That debate would just then extend the time period. We would not be considering it until whatever legal minds had decided that controversy and it may at that point in time not come back to this board because a determination may be made that it doesn't need to be here. But, it's here. It's here because of a policy determination at a local level, an agreement at a departmental level of the State of New Jersey that this is a way in which to codify the Plan to more closely identify the activities on the overall site and that's what we're here for.

Mr. Barse: Counsel may I ask a question for clarification? You mentioned before that you have sent a lot of material over to the Cumberland County Landfill. Are you still doing that?

Mr. Riesenburger: I don't know the date of the last material is, but currently there is no material that the Cumberland County Landfill is willing to accept because it is building cells. When those cells are completed that will be completed. It's like 1994 and 1995 when Amendment No. 11 was adopted there was a clear source for the material throughout the life of the facility. However, there's been a little bump in the road and they don't know when the cell will be completed.

Mr. Germanio: Well, it's not just the cell. There are a number of areas at the landfill where we have to construct or where we are constructing a sediment basin right now and there will be another sediment basin that we'll be constructing in the very near future. There's area for the expansion that we're looking at that is going to need to be excavated. Right now, if we don't use the soil that we have on site, we have to pay someone else to excavate it during construction activity.

Mr. Wymbbs: Basically, our needs for the soil aren't there right at the present moment.

Mr. Riesenburger: To answer your question again, when those needs continue, when those needs reemerge, it will certainly be available to the Cumberland County Landfill and until those needs reemerge, there have been other avenues that have been sought for the soil to be accepted and those avenues are being very actively pursued.

Mayor Barse: When did you cease sending materials over to the Cumberland County Landfill?

Mr. Germanio: About two years ago.

Mr. Barse: Two years ago.

Mr. Germanio: And that was strictly because we had areas that we needed to excavate.

Mayor Barse: On the percentage that goes back to the people who buy the processed goods, they have some processed, what percentage goes back to those people would you say?

Mr. Riesenburger: Around 70%.

Mayor Barse: 70? That's total amount of unprocessed soil you bring into the facility 70% goes back to the source of the original contaminated soil. That's 70 % historically goes back?

Mr. Riesenburger: That includes some very large projects that have taken place.

Mayor Barse: Ok so by and large, across the board, 70% has a home.

Many people speaking at once – cannot transcribe

Mayor Barse: I would just like to make a couple comments because we've been involved with this and ...to be fair with all that's involved here, at the moment this organization whether it's controversial or not, are in compliance with their ACO (Administrative Consent Order). We've monitored that continuously with DEP and they are in full compliance today. From a municipal standpoint, we've had very few, if any, complaints in the last couple of months. I'm happy to say that meetings with concerned citizens in that area to talk about issues regarding their operation have been successful. This is definitely the right direction and we appreciate that. I guess part of this deal is for them to be, the organization, MART, to be in compliance with the ACO they must get their approval here, correct?

Mr. Wymbs: Yes, because part of that ACO is the ability to maintain the stockpile if the approval doesn't come at this level then the ACO becomes a question.

Mayor Barse: The concern I had about unprocessed material and processing afterward, the material process as far as, I'm not sure of the proper term, screening, that is the way it appears is the way it is. Frankly, as a municipality, we did give permission back in March of 1998 through our Zoning Board to allow processed soil on this facility and just for the record, when we vote, I'm voting yes for this because we did approve it before and they seem to be moving along. I would just ask, this goes to the Improvement Authority and then to the Board of Chosen Freeholders?

Mr. Wymbs: Yes. The recommendation of this board moves onto the Improvement Authority. The actual public meeting for approval to forward on to the State is at the Freeholder level. It is required to have two public notifications in the local newspapers beginning no less than two weeks prior to the meeting and the last one is ten days prior to the meeting. The next scheduled meeting for the Board of Chosen Freeholders is, we originally thought was scheduled for August 14th, the unfortunate thing that I read in the paper after coming back from vacation is they've combined their agenda session and their public session into one meeting that's now on August 10th and I don't know that we can meet the advertisements.

Mr. Germanio: I have to ask a question on this because SWAC is appointed by the Freeholder Board and any recommendation that this board makes would go directly to them. We normally give the Board of the Improvement Authority the courtesy of voting on it also.

Mr. Wymbs: That's true.

Mr. Germanio: Based on the recommendations that we make tonight here at SWAC, we know it's going to the Freeholder Board, so the advertisements could start by the end of this week so we could still meet the August 7th deadline if nobody has any objection to that.

Mr. Mistretta: How time critical is this Amendment No. 16?

Mr. Wymbs: For this applicant?

Question: A few weeks one way or another.

Mr. Wymbs: I think more than a month, I know there's an ACO deadline. I don't know the specific approval of this board affects the ACO that tremendously. It was my understanding that it did and that the decision to get it through SWAC and get it through the Board of Chosen Freeholders or get it in front of the Board of Chosen Freeholders for consideration for forwarding was a time sensitive issue due to the actual time constraints set in the ACO, depending on that recommendation vote of this board.

Mr. Riesenburger: I just want to comment that yes there have been meetings with various concerned coalitions, Coalition of Water and Air and I know it's a very fruitful step. And it's been successful in a broad exchange of ideas and ultimately to improve the situation for people who believe that they have some concerns and I think that the company has stepped forward in that direction and I trust that (the remainder of Mr. Riesenburger's statement is unintelligible).

Mr. Barse: Yes and we're very happy that's happened.

Mr. Riesenburger: Very good.

Mr. Joseph Giordano: So I have one more question, so there is a limited amount of clean soil that you're allowed to put out there and that's regulated by the DEP?

Mr. Riesenburger: Regulated by the DEP with a height restriction.

Many people speaking at once – cannot transcribe

Mr. Mistretta: It is my understanding that the Plan Amendment will be recommended to the DEP after the Freeholder Board. Is that correct?

Mr. Wymbs: Correct. The Freeholder Board, if they choose to, recommends to pass it on to the State for consideration. It then gets distributed to 24 districts at the State DEP level. The final approval comes from the Commissioner of the New Jersey Department of Environmental Protection based on the recommendation of this board, the Freeholder Board, and those 24 review agencies at the State level.

Mr. Mistretta: This particular lot will be controlled by the DEP?

Mr. Wymbs: Correct.

Mr. Garrison: So basically Steve, what you're asking from this board is for approval of Lot for Mid-Atlantic Recycling Technologies being approved with the change in the property lines and that the clean processed materials be stored all under the regulations of the County, State, Federal, or whatever...they have to meet the requirements. So what do we need a motion to...

Mr. Wymbs: We need a motion to include.

Mr. Garrison: I'll make that motion.

Mr. Turpin: I'll second it.

Many people speaking at once – cannot transcribe

Mr. Wymbs: I would just request that the motion include that any activities on that extended parcel meet all local, county, state, and federal regulations.

Dr. Jacobsen: Is there any further discussion? (Hearing none) Can we have a roll call please? The vote was unanimous (see attached vote sheet).

Mr. Wymbs: We will immediately advertise in the newspapers for the August 10th Freeholder Meeting. It will be on the agenda for the Cumberland County Improvement Authority's next Tuesday's meeting. I don't anticipate any discussions at that level besides staff and board discussions based on the recommendations of this board. The Freeholder Meeting is a recorded and transcribed meeting. The transcripts of the presentation of that meeting are included in the application and are forwarded to DEP so that DEP and the Commissioner can evaluate any concerns that any interested parties may have.

Mr. Horne: On behalf of MART I'd like to thank you for your time.

Mr. Riesenburger: Thank you for the opportunity to be here.

Mr. Horne, Mr. Riesenburger, and the other representatives of MART exited the meeting at this time.

Mr. Barse: Are these meetings recorded and transcribed also?

Mr. Wymbs: They are not normally. We are transcribing this one. This is not technically a publicly advertised meeting, however, because we're trying to get this board more active and trying to get it a little bit more up to date, we're recording and will create minutes from this and distribute them to everybody, and make sure there are full recorded votes.

Mr. Barse: I know it's not an open public meeting correct? Is there an availability to get a copy of this tape?

Mr. Wymbs: I'm sure we can accommodate you sir.

Mr. Barse: Thank you.

Mr. Wymbs: You are very welcome.

MAURICE RIVER TOWNSHIP LEAF COMPOSTING FACILITY

Dr. Jacobsen: And to the Maurice River Township Leaf Composting Facility...

Mr. Germanio: On March 11, 2002, Maurice River Township submitted an application to the DEP for an exempt Leaf Composting Facility located at their Convenience Center on Route 47. Everybody's familiar with that location in the Port Elizabeth area. Normally for a municipal leaf composting facility the only thing that's required is a letter from the Authority indicating that the facility is in compliance with our Plan Amendments Numbers 3 and 4 which gave blanket inclusion to leaf composting facilities proposed by any of 14 municipalities within the County. There is a requirement however, that there has to be an advertisement similar to what we're advertising for the Plan Amendment No. 16. It's strictly on a local level by municipality. Those advertisements took place and there was one individual who owns a property, I won't say adjacent to...it's a narrow lot between the proposed leaf composting facility and the individual who sent the letter in states that "In response to the proposal submitted by Maurice River Township to put a compost site next to my property, I must strongly object. As I'm sure you are aware, leaves can be contaminated with pesticides and herbicides that people use on their trees and lawns, etc. Therefore, I object to them putting a site at 3790 Route 47, Block 250, Lot 5 which borders my property." and it has the signature of the individual. Well the importance of Plan Amendment No. 3 if there are any objections to the proposed composting facility then it has to come before SWAC to be included in the Plan in a formal Plan Amendment process and that's what the Township has elected to do. Mayor Riggins I think can fill us in a little bit more on this individual and whether or not he's hear anymore from them with regard to his contention that leaves can be contaminated with pesticides and herbicides. Your lawns are also contaminated with pesticides and herbicides. The thing is on these compost facilities there are strict restrictions under the exemption that no more than 10% of the vegetation be grass, that's clippings. We're talking mainly leaves. I know how many people spray their oak trees or maple trees. I don't really think that there's a problem with pesticides and herbicides. I haven't done any testing and I don't know if...Tom, have you done any testing of your mulch?

Mr. Walkup: Limiting grass to 5% to 10% will eliminate any odors caused because of the heat generated by the decomposition. That's where the smell comes from.

Mr. Germanio: By State regulations they're allowed to accept a 10% maximum of grass. Well he's not complaining about the odor. He's worried about the pesticides and herbicides.

Mr. Riggins: There will probably be some on the grass but the number of aerial tree spraying is pretty small.

Mr. Widdifield: On the site plan, where is his property located?

Many people speaking at once - cannot transcribe

Mr. Germanio: Mayor Riggins if you or Barry would like to add anything to what I've said.

Mr. Riggins: No but for the record, I've personally approached Mr. DeBlock in the last month, he's one of my co-workers at Southern State. I've asked him privately to call me to view the status to discuss this and basically he just indicated he's interested in approaching the Township in order to buy him out in order to eliminate any concerns that he has. No formal proposals have been initiated by Mr. DeBlock to the Township. I believe that no formal complaints have been registered through us or to this board with regard to the application. Again, it's a vacant lot, I believe he bought it at a public sale, his intent

was to develop, however, due to the wetlands it wasn't possible to develop it without a wetlands delineation.

Several people speaking at once – cannot transcribe

Question: So it's a vacant lot.

Mr. Germanio: It's a vacant lot, yes.

Question: So he's not even living on this lot.

Several people speaking at once – cannot transcribe

Question: It's a vacant lot and cannot be developed?

Mayor Riggins: It is my understanding that it cannot be developed.

Several people speaking at once – cannot transcribe

Dr. Jacobsen: Do we have any further discussion? It's basically a rule that it had to come before us because of the objection.

Mayor Barse, Mayor of the City of Vineland made a motion to accept the proposed Maurice River Township Leaf Composting Facility. The motion was seconded by Mr. George Garrison, Mayor of Commercial Township. The vote was unanimous (see attached vote sheet).

Dr. Jacobsen: If there's no further discussion, please call roll. Please see the attached vote sheet.

STATEWIDE SOLID WASTE MANAGEMENT PLAN

Mr. Wymbs: I thank everyone sitting here for the recommendations that will be forwarded to the Board of Chosen Freeholders on August 10, 2003. The last item on the agenda is the Statewide Solid Waste Management Plan. I think it can be subject to future discussions of this board as it is already 8:30 p.m. and I recognize the lateness of the hour and appreciate that all of you or most of you are public officials and all of you have late night activities that you do on a constant basis for the general public and I don't want to hold you up much longer. Suffice it to say that the State is considering alterations to the Statewide Solid Waste Management Plan that change some of the regulatory aspects that we in the solid waste industry live under. They're not tremendous changes. A lot of the changes are being made more in water, waste water, and sewer issues to the Statewide Plan itself. Solid waste is not necessarily being revamped however, I have had meetings with the Assistant Commissioner of DEP and one thing that I would like to throw out to this board is anyone that has any discussion issues on a regulatory basis, the department, right at the moment is considering wholesale changes to the regulator environment of solid waste. We are in discussions at the State level for economic deregulation of public facilities and we are opening up A901 hauling license discussions because the A901 process is extreme, timely, and very, very difficult process to go through. That was one of the things that was brought up by the private sector side. So, I'm looking for suggestions from the public and private sector on the regulatory aspects of solid waste, recyclables, composting facilities, and

anything else that may concern you as representatives of the general public or private sector industries that deal with solid waste, recyclables, or composting facilities or any other matter that I might be able to assist you with in forwarding to the State. There are a couple of items in the Statewide Plan that are beneficial to all of us. One on the debt service issue, this is not a beneficial issue however, the State still does not continue to take any kind of a stance in resolving the solid waste debt service issue. Throughout the entire State, the statement in the Solid Waste Plan is that they will evaluate it on a case by case basis and the State is not formulating any policy for the Treasury to be or the State to be responsible for the debt service of failing solid waste facilities. That goes against the previous governor's statements of we will not allow any solid waste bonds to default. So, they're in a quandary too but they continue to find between \$20,000,000 and \$40,000,000 to dole out every year.

The other items are aerobic landfills and sustainable landfills as we discussed earlier are now a part of State philosophy in promoting new technology for landfills and that comes directly out of the RD&D request from the Cumberland County Improvement Authority and the pilot project that we will operate on our facility. So we're very, very happy for that step. Economic Deregulation is a consideration for future Plan Amendment alterations to begin to allow public sector facilities to operate much more in a free market atmosphere. One of the things that we continue to argue as one of the most active solid waste districts at the State level in promoting that is they're finally beginning to listen to us and recognizing that government as usual maybe shouldn't be in the business and unless they look at it in a different regulatory standpoint and relax some of those economic regulations that these facilities will continue to flounder. So we're very, very happy that they've considered some of our issues there. I thank this board for its attendance. I will continue to thank all of the participating municipalities for their cooperation in the Solid Waste Complex and the recycling aspects of Cumberland County and what we administer. I want to particularly thank the Mayor of Deerfield Township and the relationship that the Improvement Authority has with its Host Community because it makes it a hell-of-a-lot easier when you have the recent administrations of your Host Community able to deal with you on a one on one friendly basis, not an adversarial basis so, I appreciate that greatly.

Question: On the regulatory issues, do you want us to just contact you or...

Mr. Wymbs: Either place. One of the things I'd like to talk about is the frequency of the meetings of this board, just prior to ending, I don't know whether we want to do it on a six month basis or a four month basis or what but, if you could formulate some ideas on any issues you may have, either e-mail them to myself or Ben or send me a memo.

Mr. Wymbs: This is the first time in my experience with the State Department of Environmental Protection that anybody has even thought of or listened to regulatory reform and there open to it. The Assistant Commissioner and the Commissioner are extremely open to it and we have the window of opportunity so, I'd like to capitalize on it.

Question: Steve, these proposed changes, is there a time frame on this or is this a 20 year plan or...

Mr. Wymbs: Actually, I think what you will see is some of the regulatory reform that we will be discussing in the future is something that they will act on within the next two year cycle of the revisions to the Statewide Solid Waste Management Plan.

Question: I'm referring to the site changes. Hazardous waste and...

Mr. Wymbs: In our facility?

Question: Yes.

Mr. Wymbs: You should be seeing those changes implemented with the next year to three years probably. There are a lot of changes going on at the facility. We're constructing a new 12 bay storage and maintenance yard for our equipment, we're doing a Recyclables Transfer Station as long as it gets forwarded on to DEP, the Composting Facility, and the tire shredding operation. The operational aspects of the facility are changing and increasing dramatically so that we can continue to evolve and assist the public. Those changes will take place over the next one to three year period as long as the County doesn't continue to ask us for assistance.

Dr. Jacobsen: There's one thing that you or Ben could do for us. Do you have a prospectus or documentation on the aerobic landfill operation as it pertains to Cumberland? It would be nice to have. I've already had some people around the State ask me about it.

Mr. Germanio: We could come up with something.

Dr. Jacobsen: A fact sheet or some ideas so when we have people talking to us or we have the opportunity to jiggle the chain...

Mr. Wymbs: I have three different position papers that I have presented nationally. I have spoken at, the most recent was Atlantic City, previous to that was Long Beach, California. The nation is waking up to this process.

Dr. Jacobsen: It would be nice if we had that so that we could work as extra mouths...

Mr. Wymbs: That's great. We can put a summary paper together for a description of the process.

Mr. Germanio: Steve I would just like to, there's one thing here in conjunction with the update of the Statewide Solid Waste Management Plan, a pre-draft/draft that we have that I'd like to look at and make some comments. I think the draft is due sometime this fall if I'm not mistaken.

Mr. Wymbs: The initial Stakeholder Comment Period ended on June 21, 2003. The Statewide Solid Waste Management Plan public notification for adoption will be this fall. There is not a specific date yet, but the Commissioner has identified that he wants it completed before the end of the year. They are also going to or are promising to, because this is the first revision that's been considered for a number of years, it's supposed to be reconsidered every two years. So they will be rolling right into another solid waste plan adoption right after this one which is where the regulatory reform issues are going to be a consideration and I think in not addressing this one, because there's not doable changes in this one, we can make global changes with the next two years in the follow-up.

Mr. Germanio: In conjunction with that draft when it is advertised to the public you will be able to comment.

Mr. Wymbs: Maybe that would kick the timing in of the next meeting.

Mr. Jacobsen: Let's do that then when that comes out.

Mr. Germanio: I think it's important to comment on these things on the SWAC level.

Mr. Wymbs: I agree. I'm promoting the same thing at the State SWAC level.

Dr. Jacobsen: So our next meeting will be...

Mr. Wymbs: I believe it's probably going to be the October area, but we'll get prior notification out earlier than that. Would any of you like copies of the document? Why don't we just distribute copies. It is downloadable on their website.

Dr. Jacobsen: Well, if it's available electronically, let's just do as much of that as possible.

Mr. Wymbs: That would be great. It is 76 pages. I know because I printed it off the website and couldn't stop my printer.

Mr. Germanio: Bob will be interested in it too because there's a Sludge Management is also in it.

Mr. Wymbs: Sludge Management is a large part of it.

Mr. Wymbs: Ok. Any other comments?

ADJOURNMENT:

Dr. Jacobsen: Hearing one, may I have a motion to adjourn? Mr. George Garrison, Mayor of Commercial Township made the motion to adjourn and Mr. Giordano of Giordano's Vineland Scrap Metal seconded the motion. The vote was unanimous.

Mr. Wymbs: Thank you very, very much.

((

((

((

APPENDIX

F

((

((

((

APPENDIX

G

(C)

(()

((

APPENDIX

H

((

((

((

LEGAL AFFIDAVIT

State of New Jersey, }
County of Atlantic, } ss.

BRENDA JACKSON

of lawful age, being duly sworn according to law, doth depose and say that I am an employee of THE PRESS of Atlantic City, a newspaper printed and published in Pleasantville in said County and State, and distributed in the following counties: Atlantic, Camden, Cape May, Cumberland, Gloucester and Ocean County and mailed to all parts of the State of New Jersey, the United States and foreign countries and that the notice of which the annexed is a true copy, has been published in said newspaper on

JULY 18, 25, 2003

Brenda Jackson

Sworn to and subscribed before me this

25th day of

JULY

20

03

[Signature]
RITA JANE BAEKINGER
NOTARY PUBLIC OF NEW JERSEY

Notary Public

JUL. 11, 2004

My Commission Expires

PUBLIC NOTICE

The County of Cumberland proposes to amend the Solid Waste Management Plan (SWAMP) of Cumberland County, New Jersey, pursuant to the requirements of the New Jersey Solid Waste Management Act (N.J.S.A. 13:27-1 et seq.). The New Jersey Solid Waste Management Act (the Act) designates each county in the State as a Solid Waste Management District (SWMD). The SWMD of Cumberland County is designated as the Hockensack and the Hockensack Solid Waste Management District. The Hockensack Solid Waste Management District is a solid waste management district, and provides each county with the authority to develop and implement comprehensive solid waste management plans, which meet the needs of every municipality within each county. The Hockensack Solid Waste Management District is a solid waste management district, and provides each county with the authority to develop and implement comprehensive solid waste management plans, which meet the needs of every municipality within each county. The Hockensack Solid Waste Management District is a solid waste management district, and provides each county with the authority to develop and implement comprehensive solid waste management plans, which meet the needs of every municipality within each county.

RECEIVED
AUG 1 2:3
CUMBERLAND COUNTY
IMPROVEMENT AUTHORITY

TA0052702

The purposes of the sixteenth amendment to the Cumberland County Solid Waste Management Plan are as follows:

1. To include proposed operations of the Cumberland County Solid Waste Management Plan. These proposed operations include a Recycling Transfer Facility, a Cross B Recycling Facility for the recycling of scrap tires, a clean wood recycling area for the chipping of tree trunks, tree branches, stumps, and untreated wood waste, a leaf composting facility, and a permanent household hazardous waste collection facility.
2. To include an additional four acres to Mid-Atlantic Technology (MAT) contaminated soil processing facility located at Block 87, Lot 14 in the City of Vineland, for the purpose of storing processed soil.
3. To include an exempt leaf composting facility proposed by Maurice River Township on Block 250, Lot 5 (3790 Deles Drive, Port Elizabeth, NJ).

To insure the broadest possible participation by the general public in this plan amendment process, the Cumberland County Board of Chosen Freeholders has scheduled a public hearing on Thursday, August 7, 2003 at 4:00 P.M. at the Cumberland County Court House, 3rd Floor, Freeholder Meeting Room, All County residents, public officials or organizations interested in the SWAMP are encouraged to attend and offer testimony.

Inquiries and/or comments concerning this proposed plan amendment may be forwarded in writing to:

Cumberland County Board of Chosen Freeholders
790 East Commerce Street
Bridgeport, NJ 08302

or
Cumberland County Improvement Authority
2 North High Street
Millville, NJ 08332

Written comments must be received no later than 12:00 Noon, Thursday, August 7, 2003.

Steven R. Wymbs,
Executive Director
Cumberland County Improvement Authority
2 North High Street
Millville, NJ 08332
Phone: 609-438-9797 #A00527

(

(

(

PROOF OF PUBLICATION

COUNTY OF CUMBERLAND

STATE OF NEW JERSEY SS

Jim DeFillipo, of full age, being duly sworn on his/her o the Publisher of the Bridgeton/Millville News, a Newspa in Bridgeton in the County of Cumberland in the State of City of Bridgeton is the County Seat of said County and the annexed is a printed copy, was published in said ne date/dates on which publication was/were so made as

July 18 & 25 2003

Subscribed and sworn to before me, this

25th day of *July*

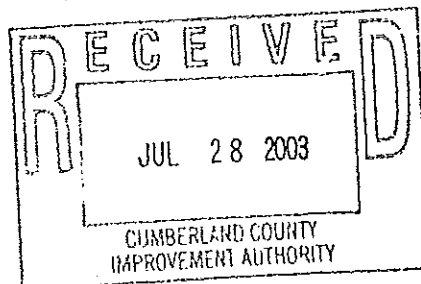
A.D. 2003

Charles Williams

Notary Public

My Commission Expires July 8, 2004

James L
for the Bridgeton/



PUBLIC NOTICE

The County of Cumberland proposes to amend the Cumberland County Solid Waste Management Plan (CCSWMP or County Plan) pursuant to the requirements of the New Jersey Solid Waste Management Act (N.J.S.A. 13:1E et. seq.). The New Jersey Solid Waste Management Act (the Act) designates each county in the State and the Hackensack Meadowlands District as solid waste management districts, and provides each county and the Hackensack Meadowlands Development Commission with the authority to develop and implement comprehensive solid waste management plans which meet the needs of every municipality within each county and within the Hackensack Meadowlands District. The Act requires that all district plans be based on and accompanied by a report detailing the existing waste disposal situation in the district, and a plan which includes the strategy to be followed by the district in meeting the solid waste management needs of the district for a 10 year planning period. The Act further provides that a district may review its plan at anytime and, if found inadequate, adopt a new plan.

The Cumberland County Solid Waste Management Plan was adopted by the Cumberland County Board of Chosen Freeholders on December 13, 1979, and approved with modifications by the Commissioner of the New Jersey Department of Environmental Protection (NJDEP) on March 4, 1981. Since 1981, fifteen amendments to the SWMP have been adopted by the Board of Chosen Freeholders and later approved by the Commissioner.

The purposes of the sixteenth amendment to the Cumberland County Solid Waste Management Plan are as follows:

1. To include proposed operations at the Cumberland County Solid Waste Complex in the Cumberland County Solid Waste Management Plan. These proposed operations include a Recyclables Transfer Facility, a Class B Recycling Facility for the recycling of scrap tires, a clean wood recycling area for the chipping of tree trunks, tree branches, stumps, and untreated wood waste, a leaf composting facility, and a permanent household hazardous waste/universal waste collection facility.

2. To include an additional four acres to Mid-Atlantic Recycling Technology (MART) contaminated soil processing facility located at Block 89, Lot 14 in the City of Vineland, for the purpose of storing processed soil.

3. To include an exempt leaf composting facility proposed by Maurice River Township on Block 250, Lot 5 (3790 Delsea Drive, Port Elizabeth, NJ).

To insure the broadest possible participation by the general public in this Plan amendment process, the Cumberland County Board of Chosen Freeholders has scheduled a public hearing on Thursday August 7, 2003 at 4:00 PM at the Cumberland County Court House, 3rd Floor Freeholder meeting Room. All County residents, public officials or organizations interested in Amendment No. 16 to the SWMP are encouraged to attend and offer testimony.

Inquiries and/or comments concerning this proposed Plan amendment may be forwarded in writing to:

Cumberland County Board of Chosen Freeholders
790 East Commerce Street
Bridgeton, NJ 08302

or

Cumberland County Improvement Authority
2 North High Street
Millville, NJ 08332

Written comments must be received no later than 12:00 Noon, Thursday August 7, 2003.

Steven R. Wymbs,
Executive Director
Cost: \$151.20.

(2276982) 7/18,25/2t

((

((

((

PROOF OF PUBLICATION

State of New Jersey,
Cumberland County

ss.

.....Brandon Hawkins.....being
duly sworn according to law, on this ..11th.. day, de-
poses and says that.....she.....is the clerk
of THE DAILY JOURNAL a daily newspaper print-
ed and published at Vineland, county and state afo-
resaid, and that a notice, of which the annexed is a
true and correct copy, was published in THE Daily
Journal on the following dates:

.....July 18, 2003, and
.....July 25, 2003.....

Sworn to and subscribed before me this 25th

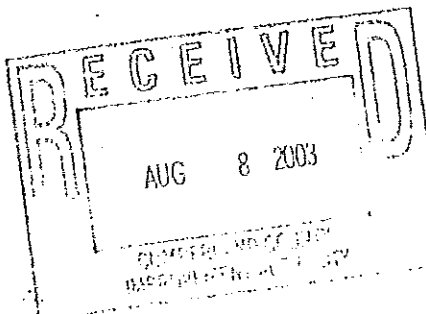
day of July ..2003..

Leslie Emma Notary Public

LESLIE JEMMA
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES 9/22/04

2010
CUMB.CTY IMPROVEMENT A 0000361510
2 N HIGH ST.

MILLVILLE
NJ 083323823



PUBLIC NOTICE
The County of Cumberland proposes to amend the Cumberland County Solid Waste Management Plan (CCSWMP or County Plan) pursuant to the requirements of the New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1 et. seq.). The New Jersey Solid Waste Management Act (the Act) designates each county in the State and the Hackensack Meadowlands District as solid waste management districts and provides each county and the Hackensack Meadowlands Development Commission with the authority to develop and implement comprehensive solid waste management plans which meet the needs of every municipality within each county and within the Hackensack Meadowlands District. The Act requires that all district plans be based on and accompanied by a report detailing the existing waste disposal situation in the district and a plan which includes the strategy to be followed by the district in meeting the solid waste management needs of the district for 10 year planning period. The Act further provides that a district may review its plan at anytime and, if found inadequate, adopt a new plan. The Cumberland County Solid Waste Management Plan was adopted by the Cumberland County Board of Chosen Freeholders on December 18, 1979, and approved with modifications by the Commissioner of the New Jersey Department of Environmental Protection (NJDEP) on March 4, 1981. Since 1981, fifteen amendments to the SWMP have been adopted by the Board of Chosen Freeholders and later approved by the Commissioner. The purposes of the sixteenth amendment to the Cumberland County Solid Waste Management Plan are as follows:

Amendments 2010

1. To include proposed operations at the Cumberland County Solid Waste Complex in the Cumberland County Solid Waste Management Plan. These proposed operations include a Recyclables Transfer Facility (Class A, B, Recycling Facility for the recycling of scrap tires, a clean wood recycling area for the chipping of tree trunks, tree branches, stumps, and untreated wood waste, a leaf composting facility, and a permanent household hazardous waste collection facility.

2. To include an additional four acres to Mid-Atlantic Recycling Technology (MART) contaminated solid processing facility located at Block 89, Lot 14 in the City of Vineland for the purpose of storing processed soil.

3. To include an exempt leaf composting facility proposed by Maurice River Township on Block 250, Lot 5, 3790 DeSoto Drive, Port Elizabeth, NJ.

4. To insure the broadest possible participation by the general public in this Plan Amendment process, the Cumberland County Board of Chosen Freeholders has scheduled a public hearing on Thursday, August 7, 2003 at 4:00 P.M. at the Cumberland County Court House, 3rd Floor, Freeholder Meeting Room. All County residents, public officials, or organizations interested in Amendment No. 16 to the SWMP are encouraged to attend and offer testimony, inquiries, and/or comments concerning this proposed Plan Amendment may be forwarded in writing to:

Cumberland County Board of Chosen Freeholders, c/o 3790 DeSoto Drive, Commerce Street, Bridgeton, NJ 08302 or Cumberland County Improvement Authority, 2 North High Street, Millville, NJ 08332. Written comments must be received no later than 12:00 Noon, Thursday August 7, 2003. Steven R. Wymbs, Executive Director, July 18, 2003. PHFees104/96 Acc1361510

((

((

((

APPENDIX

I

(

(

(

APPENDIX

J

((

((

((

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CUMBERLAND COUNTY
BOARD OF CHOSEN FREEHOLDERS
- - -
PUBLIC HEARING
- - -
RESOLUTION #401
RESOLUTION APPROVING AMENDMENT #16
TO THE
CUMBERLAND COUNTY SOLID WASTE MANAGEMENT PLAN

- - -
Transcript of public hearing taken by and
before Teresa J.F. Bautz, a Certified Shorthand
Reporter, License No. XI02073, and Notary Public of the
State of New Jersey, at the Cumberland County
Courthouse, Freeholder Meeting Room, 60 West Broad
Street, Bridgeton, New Jersey, 08302, on Thursday,
August 7, 2003 at 4:00 p.m.

TERESA J. F. BAUTZ
Certified Shorthand Reporter
14 Davis Avenue, PO Box 49
Shiloh, New Jersey 08353-0049
Phone: (856) 455-3936 Fax: (856) 455-5169

1 FREEHOLDERS PRESENT:

2 Dr. Mary L. Gruccio
3 Jane Yetman Christy
4 Louis N. Magazzu
5 Douglas M. Rainear

6 Donna M. Pearson, Director
7 Bruce T. Peterson, Deputy Director
8 Gary F. Simmerman, Treasurer
9 Samuel J. Serata, County Counsel
10 David W. Gray, Administrator

11 ALSO PRESENT:

12 Steven R. Wymbs
13 Executive Director
14 Cumberland County Improvement Authority

15 Bernard Germanio
16 Chief Engineer
17 Cumberland County Improvement Authority

18 Franklin J. Riesenburger, Esq.
19 Flaster Greenberg, P.C.
20 Counsel for Casie Ecology Oil Salvage Co., Inc.
21 and MART

22 - - -

1 MS. PEARSON: We can begin with Resolution
2 401.

3 MR. GRAY: 401 is a public hearing on a
4 resolution approving amendment 16 to the Cumberland
5 County Solid Waste Management Plan.

6 MR. PETERSON: I move to open the public
7 hearing.

8 MS. CHRISTY: I second it.

9 MS. PEARSON: So moved and seconded. All in
10 favor?

11 (All members vote "aye.")

12 MS. PEARSON: Opposed? Mr. Wymbs.

13 MR. WYMBBS: Thank you. Good evening. Good
14 afternoon, actually. I apologize, this is normally an
15 evening meeting. I'm Steve Wymbs, I'm the executive
16 director of the Cumberland County Improvement Authority.
17 The improvement authority also oversees the local solid
18 waste advisory council. And as such there is an
19 approval request in front of you for three levels of
20 inclusions in the Cumberland County Solid Waste
21 Management Plan.

22 In view of recent documentation supplied to
23 the Authority by NJDEP and correspondence from the city
24 of Vineland, a portion of the application has come under
25 additional questions that may require tabling tonight.

1 I was just speaking to the applicant that is of concern
2 of those letters. They don't believe necessarily that
3 this portion of the application is specific to what was
4 addressed in NJDEP's letter or any of the other letters
5 that were submitted.

6 I would request a consideration by this
7 Board to table the application this evening. The
8 Improvement Authority's issues and the other applicant
9 are not specifically time sensitive. I do respect that
10 the company, Mart specifically, that is dealing with the
11 third request to come into the plan is time sensitive.
12 They are dealing with an administrative consent order
13 from DEP. I know their attorney representing them is
14 here if he would like to come forward and speak to their
15 concerns about tabling the application tonight. I would
16 also be free to answer any of your questions in how this
17 has transpired to date.

18 MR. RIESENBURGER: Thank you. My name is
19 Franco Riesenburger. I'm from the law firm of Flaster
20 Greenberg and I represent Casie Ecology Oil Salvage Co.,
21 Inc. and in this matter MART as well. There has come
22 before you amendment number 16. Amendment number 16
23 contains a component which relates to four acres. It's
24 a footprint component.

25 All it is is a request that the four acres

1 that have been used for processed soils be included in
2 the footprint of 8.29 acres for a total of 12.29 acres.
3 That's all that there is before the Board.

4 The Board is asked to consider this because
5 the DEP at one time didn't even require this or think
6 that this should part of consideration for the Board
7 because the materials that are on the four acres are
8 processed soils, they are recycled materials.

9 However, later on the DEP had another
10 consideration that maybe in the event that they are not
11 recycled materials sometime along the way, it would be
12 good to become part of the Board to pass under the
13 Cumberland County Improvement Authority and to include
14 those four acres in the Solid Waste Management Plan even
15 though it's not recycled materials. That's a legal
16 issue that's still up in the air.

17 But instead of arguing about it we applied
18 before the Cumberland County Improvement Authority for
19 permission for the four acres to be completed including
20 the footprint. This is not an expansion of ongoing
21 operation. These four acres have been so utilized since
22 about 1998 or 1999, the time when it wasn't necessary to
23 include these four acres in this plan according to the
24 DEP. It still may not be necessary legally, but the DEP
25 wants it, we're here to do it.

1 And in the application that has been before
2 the CCIA for a long time, please understand that this is
3 not an application that was made yesterday. The CCIA
4 has had an opportunity to examine this. The CCIA did so
5 in terms of the SWAC committee and in terms of its
6 Improvement Authority.

7 The professionals looked at the plans. The
8 professionals looked at everything, they had lots of
9 questions. The professionals were very fair-minded
10 about this. They brought in everybody who had a
11 concern. That would be the coalition members as well as
12 MART and Casie. Everybody met, we had a chance to air
13 this in a full and complete manner where we all know
14 what the issues are. And it was aired, it was aired
15 fully. It was aired before the SWAC committee. The
16 SWAC committee hearing the recommendations, hearing the
17 recommendations of your professionals, Ben Germanio and
18 Steve Wymbs approved.

19 And at that meeting Mayor Barse was there.
20 Mayor Barse approved it as well. And Mayor Barse said
21 he was happy to hear as well that the coalition was
22 talking with MART and Casie to try to resolve whatever
23 other problems they may have that are NJDEP problems.

24 The problems that you have before you today
25 is just the four acres. That's all that there is, it's

1 just the four acres. After the SWAC committee
2 unanimously approved, it went to the CCIA. The CCIA
3 also unanimously approved.

4 Now, all of a sudden at the eleventh hour,
5 no, at the eleventh hour and 59 minutes, I have no idea
6 what is being discussed as far as issues are concerned.
7 This application has been pending for months. You've
8 had your professionals look at it, you've had SWAC
9 committee look at it, you've had the CCIA. And at the
10 last minute this thing has become so politicized in
11 terms of the coalition, in terms of MART and Casie that
12 all of a sudden I hear now when I come over that there
13 is something that there has been received from the city
14 of Vineland, I have no idea what it is.

15 Something has been received from NJDEP. I
16 have no idea what it is. And I have no idea whether it
17 has anything to do with the four acres. It may be DEP
18 issues, I have no idea. So this has been so politicized
19 that at the very last minute after your professionals
20 have had months to look at this, after they have invited
21 people to come and talk about it and go through these
22 issues, at the last minute I can't even comment. I have
23 no idea what it is.

24 I would just ask you to consider the limited
25 issue that's in front of you and let the DEP go on and

1 to do its work because the DEP has a lot of work to do. ((
2 I urge you to consider this.

3 MS. PEARSON: Mr. Wymbs?

4 MR. WYMBBS: Thank you. I believe also that
5 Mr. Brian Horne from MART would like to speak, he just
6 whispered in my ear. I will explain fully the four
7 acres versus the new information that has been provided
8 in the last week and a half.

9 MS. PEARSON: At this point we will
10 entertain the comments of the gentlemen who wish to
11 speak. But since this is your presentation to the
12 Board, this is something that the Improvement Authority
13 has full control over as far as presenting the ((
14 information.

15 And in view of the fact that you have
16 requested that this matter be tabled to give you the
17 opportunity to present this, re-present this, back to
18 SWAC and back to your own authority to review the
19 information, I understand the information was just
20 received this evening and people might not have had the
21 opportunity to review it and to formulate their
22 questions to it.

23 And since this is basically your public
24 hearing, I think we would like to give you that respect
25 in order to, you know, hold this off until that

1 information can be gathered and then you can bring that
2 back to us and also bring the gentleman back as well.

3 At this point --

4 MR. MAGAZZU: Director, I would like to move
5 to table this and I think there needs to be -- I would
6 like to move to table it, then I will set the reasons
7 forth why if there's a second.

8 MR. RAINEAR: Second.

9 MR. MAGAZZU: Director, the reason I'd asked
10 to table it --

11 MS. PEARSON: It's been moved and seconded.
12 Okay, your discussion.

13 MR. MAGAZZU: The reason I asked to table it
14 is we have been presented just today with a letter dated
15 August 7th from Mayor Perry Barse, it's a letter to
16 yourself, Director, copied to the Board. And well, I
17 just wanted to say the reason why. And there was a DEP
18 letter dated July 25th. For those reasons, this new
19 information, the request for Mr. Wymbs, I believe that
20 it's appropriate to table it.

21 MS. PEARSON: Thank you, Freeholder. It's
22 been moved and seconded. Any more discussion?

23 MS. CHRISTY: Have we heard from everyone
24 who wants to speak at this time?

25 MR. WYMBBS: In light of the request to table

1 and in light of the Board's consideration in that the
2 public hearing is not at this point in time something
3 that would continue. So the actual opening of the
4 public hearing would not have happened yet.

5 I invited Mr. Riesenburger because
6 unfortunately he has been representing this for quite
7 some time. The application was submitted to us on April
8 30th.

9 MR. RAINEAR: Director, prior to the vote
10 count, I would agree with the Freeholder Christy because
11 I think there are a number of people here to give
12 testimony. I would like to maybe withdraw my second or
13 at least second the motion provided that the people that
14 would like to speak here tonight, maybe not on the
15 public record but at least off the public record, that
16 have traveled some distance be given the opportunity
17 since we've had the attorney for MART been given the
18 courtesy to speak.

19 MR. MAGAZZU: Director, I would modify my
20 motion to indicate that I know that you don't want a
21 full blown public hearing, but I think Freeholder
22 Christy and Freeholder Rainear bring up a good point.
23 We got a room full of people. Because of this DEP
24 letter and the Mayor's letter perhaps they still want to
25 address it. I think we ought to table it, but maybe

1 it's a question of courtesy. I obviously will defer to
2 the Director and the solicitor on this.

3 MR. SERATA: If you want to withdraw your
4 motion, you can do that.

5 MR. MAGAZZU: No, no. I'm still moving to
6 table, but the point is if people want to -- I think
7 Freeholder Christy and Freeholder Rainear bring up a
8 good point, but that's...

9 MR. RIESENBURGER: As a matter of record, I
10 just want to, if I may, indicate that we have still not
11 received any courtesy of a copy of whatever it is. We
12 have no idea what you're talking about.

13 MS. PEARSON: Exactly. Which is one of the
14 reasons why we did want to table it and have the public
15 discussion when everyone has all the information and it
16 can be done. I have no problem with anyone going
17 forward and making any presentation that they want, but
18 please understand that this will more than likely have
19 to happen again when we bring this issue up.

20 Since you do not have the information, I
21 have not even had an opportunity to read it because
22 we've just received it as well. And in all fairness to
23 you, we would like to get that opportunity for you to
24 present that.

25 MR. RIESENBURGER: It may be something

1 that's so inconsequential. I have no idea what it says.
2 It may be something -- I have no idea -- it may be
3 something that's so insignificant and just raised for
4 the purposes of doing just this.

5 MS. PEARSON: Mr. Wymbs?

6 MR. WYMBBS: Yes. The representation from
7 the coalition that previously submitted correspondence
8 to you I believe by a fax quite possibly and by original
9 letter just stated that they do not have the information
10 either and would also not like to speak to it tonight.

11 So I think we're probably looking at doing
12 everything at whatever public hearing would happen at
13 whatever time in the future it would happen.

14 MS. PEARSON: And I do appreciate the fact
15 that people are here. So I am somewhat disappointed
16 that this didn't move forward because this just means we
17 have to put this off for another date and everyone will
18 have to come back out anyway.

19 Again, I do appreciate the fact that you all
20 did come out, but at this point it doesn't seem to make
21 much sense to have everyone get up and then make a
22 statement. Everyone doesn't have the information. I
23 don't have all the information. I don't feel
24 comfortable even listening to it without having all that
25 at my disposal as well.

1 MR. SERATA: Madam Director, may I indicate
2 to you that you're in a public hearing. You can't table
3 the public hearing, you have to close the public hearing
4 if that's what you're going to do. Or what you may do
5 is you may continue the public hearing to some future
6 time. The motion to table is really premature because
7 there's no motion on the floor.

8 MS. PEARSON: Thank you.

9 MR. MAGAZZU: So you would vote then for a
10 motion to continue the public hearing?

11 MR. SERATA: That's what I think you do to a
12 date and time in the future.

13 (Discussion off the record.)

14 MR. RAINEAR: Director, prior to closing the
15 public hearing, I think that's where we're headed, I
16 just would like to make one comment to the attorney for
17 MART. I object to your statement that it has been
18 politicized at the last moment. I don't think that was
19 the intention of this Board, and I certainly don't think
20 it was the intention of Mayor Barse. I think this
21 information is relevant and pertinent, and I object to
22 your characterization of politicization about the issue
23 at hand.

24 MR. MAGAZZU: And just for the record,
25 Director, because the reference was made that Mayor

1 Barse supported it, in the last paragraph of his letter ((

2 he indicated that had he been aware of the information

3 contained in the letter, he wouldn't have voted for the

4 approval. I think the record needs to be clear.

5 Also, Director, the only other point I would

6 make is perhaps it would be appropriate depending on the

7 solicitor's approach to release this information at some

8 point in time.

9 MS. PEARSON: Okay. I'll entertain a motion

10 to close the public session, or to continue, excuse me,

11 the public session for a future date to be set by the

12 Improvement Authority.

13 MR. WYMBBS: Recognize that it requires by ((

14 state statute two full advertisements, the last one

15 being no later than ten days prior to your meeting. So

16 it takes approximately 22 days to get that advertisement

17 proper.

18 MR. PETERSON: I'll make the motion.

19 MS. PEARSON: Second?

20 MS. CHRISTY: Second.

21 MR. GRAY: Voice vote is fine.

22 MS. PEARSON: All in favor?

23 (All members vote "aye.")

24 MS. PEARSON: I now will entertain a motion

25 to table this, or do I need to do that? ((

1 MR. SERATA: No.

2 MS. PEARSON: Okay, thank you. Thank you
3 all for coming. We really appreciate you being here.

4 (The hearing concluded at approximately 4:26
5 p.m.)

6 - - -

C E R T I F I C A T I O N

STATE OF NEW JERSEY

SS.

COUNTY OF CUMBERLAND

I, TERESA J.F. BAUTZ, a Certified
Shorthand Reporter and Notary Public of the State of New
Jersey, do hereby certify that I reported the deposition
in the above-captioned matter; that the said witness was
duly sworn by me; that the foregoing is a true and
correct transcript of the stenographic notes of
testimony taken by me in the above-captioned matter.

I FURTHER CERTIFY that I am not an
attorney of counsel of any of the parties, nor a
relative or employee of any attorney or counsel in
connection with the action, nor financially interested
in the action.


TERESA J.F. BAUTZ, CSR #XI02073

APPENDIX

K

((

((

((

APPENDIX

L

(C)

(C)

(C)



THE GOURMET FOOD BASE
WORLDWIDE

FACSIMILE COVER SHEET

DATE: 8-1-03

ATTN: Mr. Francholles

COMPANY: _____

FAX NO: 451-8243

FROM

PARTY: BOB BUONO

COMPANY: EATEM FOODS COMPANY

FAX NO: 856-692-8130

COMMENTS: Please forward this letter to all
Francholles
Thank You
Bob Buono

WE ARE SENDING 4 PAGES INCLUDING THIS COVER SHEET

IF THIS TRANSMISSION IS NOT CLEAR, PLEASE CALL US AT
800-683-2836.

THANK YOU

VINELAND INDUSTRIAL PARK • 1829 GALLAGHER DRIVE, VINELAND, NJ 08360
(856) 692-1665 FAX (856) 692-8145 WEBSITE: www.eatemfoods.com

((

((

((

Coalition for Clean Air & Water

August 1, 2003

Cumberland County Board
of Chosen Freeholders
790 East Commerce Street
Bridgeton, NJ 08332

Re: Mid Atlantic Recycling Technologies

Dear Members of the Board:

This firm represents the Coalition for Clean Air and Water (CCAW) and I am writing on their behalf as a group of concerned citizens, residents and business owners who are gravely concerned over the proposed plan to include within the revisions to the Cumberland County Solid Waste Management Plan (CCSWMP), approval for "an additional four acres to Mid-Atlantic Recycling Technology (MART) contaminated soil processing Facility". MART's stated purpose for seeking this additional four acres is the storage of processed soil.

As you know this board previously approved an application submitted by MART's predecessor¹ in October, 1994. Pursuant to that application, MART's predecessor was permitted to operate a soil desorption unit under a Class B Recycling permit which was incorporated into the CCSWMP on December 15, 1994. That approval did not include the outside storage of processed soils on the 4 acre parcel that has been utilized by MART since the City of Vineland's Zoning Board of Adjustment granted its approval of a site plan submitted by MART on March 18, 1998. At the time MART sought approval from the Vineland Zoning Board, it did not notify the CCIA nor seek its approval for the expansion of its operations. Although MART now argues that it was informed by DEP that such approval was unnecessary, the DEP has taken the opposition position and, apparently, has done so since, at least, March, 2000.

The soil stored on the 4 acre parcel that is the focus of MART's application has been at the center of controversy for the past few years. MART's predecessor permitted the storage pile on that parcel to rise to a height of 70-80 feet. The dust and odors created by the, so called, product have created a nightmare for surrounding residents and businesses. MART was repeatedly the subject of regulatory enforcement for violations of the Air Pollution Control Act and the Solid Waste Utility Act. Finally, MART agreed to pay the state \$250,000 dollars in fines and to bring its facility into compliance by August, 2003. The DEP specifically determined that the storage pile would have to be removed (for) or MART would need approval by local solid

¹References to MART shall include MART's predecessors and related companies.

waste authorities. Thus, MART's application.

The members of the CCAW oppose MART's application for a number of reasons. To begin with, MART's original operating proposal called for the storage of processed soils inside a containment or building. We think that MART's original proposal is preferable to any of the outside storage options proposed by MART. It would clearly eliminate many of the problems that neighbors have had with blowing dust, fumes and foul odors from the facility. This material, once airborne, burns the throat and eyes and leaves a (metal) metallic taste in the mouth. The smell of the soil that has been run through the burning process, though allegedly free of contaminants, retains the smell of burned organic material. It is a foul smell that, even if non-toxic as MART claims, can sicken neighbors, disrupt local business operations and remains a nuisance when it escapes the facility.

The CCAW can see no reason other than economics for MART's refusal to provide indoor storage for its, so called, product. However, it is only in this controlled environment that MART can adequately control the odors and blowing materials emanating from the pile. Moreover, MART's desire to avoid the expense of enclosing its material storage area directly places a significant economic burden on the surrounding businesses who, indirectly, pay the cost of MART's outside storage in lost productivity, man-hours and, possibly, real estate values.

Members of the CCAW are particularly concerned about the storage of such a vast amount of material by MART because it appears that the market for MART's recycled soil has failed to materialize. Over the past year, MART has been involved in litigation with two Townships in the area over the placement of their soil. On both occasions, MART (reluctantly) agreed to remove the soil that was placed there, rather than pursue further legal battles. The concern of the CCAW is that MART's storage needs are inflated by the fact that their market has failed to materialize.

If the Board is inclined to permit outside storage of the MART soil, in spite of the CCAW's concerns, then(,) we respectfully request that the Solid Waste Plan be remanded back to the SWAC so that it can be amended to include institutional controls not proposed (my) by MART in its application, but which were discussed at length during a meeting between SWAC members, the CCAW and MART. Such controls included the placement and maintenance of a mandatory vegetative or cap on the waste pile, the construction of a sound barrier and the addition of a truck tire washing facility.

Moreover, the CCAW would seek to permit less storage than contemplated by MART, and to place strict time limits on the amount of time that soil can be stored on site. Even if MART is originally permitted its proposed height of 35 feet, CCAW requests that the pile height be reduced to no more than 20 feet within one year. Although MART makes the point that some amount of substantial storage is required in order to meet exigencies, the 20 foot height limit proposed by the CCAW should far exceed any reasonable expectation of an emergent demand. Furthermore, once the 20 foot height limit is achieved, CCAW believes


that it should be well within MART's capability to additionally reduce the total quantity of stored soil as their anticipated market materializes. The feasibility of further reducing the quantity of soil stored on site could be revisited annually in joint conferences with MART, the CCLA and concerned citizens such as the CCAW. Such a downstream review seems entirely appropriate as MART's earliest representation to the community was that their process produced a product that would in fact be utilized off site following processing, as opposed to remaining on site almost perpetually. Additionally, the CCAW seeks the inclusion in MART's requirements of specific standards for particulate discharge from operations involving the pile and equipment operating in the vicinity of the pile. They seek a strict requirement that there be zero discharge from the facility boundaries at any time.

As the CCAW has previously noted, there is great concern that the market for MART's material, which has not developed as anticipated, may in fact never develop to the extent necessary to keep up with the production capability of the plant; thus, the facility will continue to stockpile more and more soil as we move into the future. This was not the original intent of this plant, nor did the original zoning permit make it appropriate to forever add more stored soil to the site. Thus, the CCAW requests the inclusion of a provision in the plan specifically requiring that the generation of processed soil cease as soon as MART's storage limitations are reached. If they can not find a market for their product they should not be able to continue accepting more and more material with the (sole intention) outcome being long term storage of increasing quantities of processed soil.

Finally, the members of the CCAW live and work in the shadow of the MART facility. Given the gravity of the vote that your board is about to undertake and its impact on the lives of the group's members, they respectfully suggest that the members of the board (should) visit the site and view the facility with their own eyes. To that end, the CCAW invites the members of the board to coordinate a visit to the facility so that they can see, first hand, the issues raised by the application pending before the board. CCAW members would be happy to organize such a site visit and contact MART to (see if) arrange access to the facility (could be arranged) at the same time.

CCAW members want to emphasize that the comments presented in this letter are done so in the best tradition of public debate. On many points, CCAW members have an honest disagreement with MART as to uses of its property that have, in the past, interfered with the quiet enjoyment of members' properties or of the orderly operation of members' business interests. CCAW members strongly urge members of the Board of Chosen Freeholders to reject the proposed approval of the 4 acre storage facility as currently proposed.


Robert Buono, President CCAW

Respectfully submitted,

Greg Miller, CCAW

((

((

((

PERRY D. BARSE
MAYOR

RECEIVED
CUMBERLAND COUNTY
ADMINISTRATION

2003 AUG -8 PM 3:01



August 7, 2003

Donna Pearson, Director
Cumberland County Board of Chosen Freeholders
Administration Building
790 East Commerce Street
Bridgeton, NJ 08302

Re: Mid Atlantic Recycling Technologies Inc. (MART)

Dear Director Pearson:

Enclosed please find the following copies of correspondence in reference to the company noted above:

1. A notice of deficiency sent by the State of New Jersey, Department of Environmental Protection, Division of Solid and Hazardous Waste to Mid Atlantic Recycling Technologies Inc. dated July 25, 2003 (Copy received in my office on Wednesday July 30, 2003)
2. A MART correspondence to NJ DEP dated November 14, 2001
3. A MART correspondence to NJ DEP dated April 9, 2003
4. A memo from City of Vineland Zoning Officer Patrick Finley to my attention, date August 7, 2003.

Items, 2 and 3 were obtained by my office from NJ DEP on Tuesday, August 5, 2003. They were requested by me after my receipt of the notice of deficiency (item 1). The purpose of this correspondence is to provide you and the Board with the information that has come to my attention since the SWAC meeting held last month. There are significant issues that affect my City that have come to light, as follows:



Item 1 - This notice of deficiency cites many deficiencies, including issues of concrete crushing (not allowed in our industrial park) and where it will take place on MART's property (not disclosed).

We find the request to accept loads of 50% concrete and 50% soils simply outrageous and not in conformance with City zoning regulations. This notice also states "MART is not approved to accept loads of concrete and is not included in the Cumberland County Solid Waste management plan for the acceptance of concrete".

In addition, under section 4, we have still not received from MART, to the best of our knowledge, any modification requests made to DEP by MART. We had to solicit them from NJ DEP "after the fact".

Item 2 - This correspondence of November 14, 2001, under section four, indicates that "crushing of concrete is also performed". Our request for this correspondence from NJDEP, and its receipt two days ago, was the first notification that this activity was taking place, in clear violation of local law. Neither MART nor NJ DEP ever disclosed to us that this activity was ever taking place.

At the SWAC meeting, Mr. Horne made the assertion that 70% of the soils being treated by MART were being returned to their source. The schedule included in this correspondence indicates that the number is more like 43%. Even allowing for volume reductions due to the process, there is still a serious deficiency involved here.

Item 3 - Section III, 1(A) (1) indicated the need for the "inclusion of recyclable concrete up to levels of 50% by weight as MART frequently encounters such materials and recycles such concrete". In addition, the sampling frequency being incorporated in Section III, 8 is termed "financially catastrophic" by MART. What is the disposition of this request? Is the public interest going to be protected?

TOTAL P.03



I would surmise that, at some point in time, the unanimous vote by the SWAC committee will be discussed by MART. Needless to say, had I then been aware of this information I would never have voted my approval.

Very truly yours,

A handwritten signature in dark ink, appearing to read "P.D. Barse", written over the printed name.

Mayor Perry D. Barse
City of Vineland

PDB: jc

cc: Board of Chosen Freeholders
enclosure

((

((

((

Item one

8580



State of New Jersey
Department of Environmental Protection



E. McGreevey
Governor

Bradley M. Campbell
Commissioner

Division of Solid & Hazardous Waste
P.O. Box 414 401 East State Street
Trenton, New Jersey 08625-0414
Telephone: (609) 984-5950 Telecopier: (609) 633-9839
<http://www.state.nj.us/dep/dshw.htm>

Brian Horne, President
Mid-Atlantic Recycling Technologies, Inc.
3137 Chamblings Court
Vineland, NJ 08360

JUL 25 2003

RE: Notice of Deficiency
Application for Modification of a Recycling Center General Approval
Mid-Atlantic Recycling Technologies, Inc. (MART)
Vineland Township, Cumberland County
PI # 132106
Document # CBG030002

Dear Mr. Horne:

The Bureau of Landfill and Recycling Management is in receipt of a Recycling Center General Approval modification application received on April 9, 2003 for revisions to the approved site plan of the above referenced facility.

The Bureau has completed a review of the application pursuant to N.J.A.C. 7:26A-3.5(a), to determine if the submittal is technically complete. Upon review, the Bureau has determined the application for modification of the Recycling Center General Approval is **TECHNICALLY INCOMPLETE**.

In order for this office to determine the application complete, the following deficiencies must be addressed:

1) N.J.A.C. 7:26A-3.2(a)9:

The site plan as submitted, prepared by Irick Engineering, signed and sealed by Jerome H. Irick, P.E., NJ license no. 26399, dated July 31, 2001 and last revised November 12, 2001, has been found to be deficient. A revised site plan must be submitted to address the following deficiencies:

- a) The site plan that was submitted with the modification request is the same site plan that the Department denied on June 17, 2002. The June 17, 2002

cc: Mayor Perry D. Barse
Kathy Hicks, Planning, Barbara Panzino, Recycling, Louis Cresci, Health,
rcytnod.rtf Patrick Finley, Zoning Officer

New Jersey is an Equal Opportunity Employer
Recycled Paper



denial letter informed MART that the Department would not approve the additional four-acre parcel until that area is included in the Cumberland County solid waste management plan. However, notes 2 and 4 on Sheet 3 of 4 indicate the purpose of the revised site plan and the modification request is for the storage of processed material in the additional four acres designated as "Clean Soils Storage Area". Since the area currently contains processed material that is being regulated under an Administrative Consent Order (ACO) between MART and the Department, the site plan must be revised to indicate that the additional four acres is not part of the Class B Approval and the soil is being stored in accordance with the ACO. In addition notes 2 and 4 must be revised accordingly.

- b) Item four under the "Legend of Recycling Activities" states crushing will occur on-site. Where on the site will the crushing of concrete occur and where will the crushed concrete be stored? The site plan only indicates a stockpile location for "Staging of Clean and Screened Concrete for Recycling". What type of processing equipment will be used for crushing? Provide manufacturer's specification sheets for the crushing equipment. Specify when the will concrete be screened - before or after the soil is processed through the thermal unit and where will the screening of concrete occur?
- c) Item 6 under the "Legend of Recycling Activities" states that "screening may take place elsewhere in areas shown or not shown". The location of the screening activities must be shown on the site plan and screening may only occur in the approved locations. The site plan must be revised accordingly to show the screening activities and specify what materials will be screened in those areas.
- f) An Area 5 is shown on the site plan near the basin, please state what Area 5 is for. In addition, the footprint of the area must be specified on the site plan.
- g) Arrows indicating traffic flow and stormwater flow must be included on the site plan. In addition, contour lines drawn at two-foot intervals must be included.
- h) All maps of the recycling center shall be prepared in a manner and format consistent with N.J.A.C. 7:1 Appendix A. This format requires that the geographic data relating to the proposed facility be mapped in state plane coordinates and shall be submitted to the Department in digital format that can be inputted into the Department's Geographical Information System (GIS) database.

I have enclosed a copy of N.J.A.C. 7:1 Appendix A and a guidance document of mapping and digital data standards. If you have any questions pertaining to the mapping and digital data standards, you may contact Ralph Asplen of this Division at (609) 984-6664.

Mem one

8580

- 2) Your letter requests approval to accept loads of soil containing up to 50% concrete. Class B facilities are only allowed to accept source separated materials. A load of soil containing 50% concrete is not source separated material - it is a mixed load of concrete and soil. MART is not approved to accept loads of concrete and is not included in the Cumberland County solid waste management plan for the acceptance of concrete. Therefore MART may not accept soil containing up to 50% concrete. However, the Department will allow MART to accept loads of soil containing concrete up to 5%. Please revise your request accordingly.

- 3) N.J.A.C. 7:26A-3.2(a)15:

The Department has not received an amendment to the Cumberland County Solid Waste Management Plan correcting the block and lot numbers for the facility. The Department cannot issue a modification to the Class B Approval until the correct block and lot numbers for the facility are in the county solid waste management plan.

- 4) N.J.A.C. 7:26A-3.2(d):

One copy of the modification request must be sent to the municipal clerk for the City of Vineland and one copy must be sent to Steven Wymbs the solid waste coordinator for Cumberland County. Please provide documentation that the modification request was sent to the county and municipality.

A response to this notice of deficiency that adequately addresses each noted item is required to be submitted to the Bureau within thirty (30) days from the date of this letter pursuant to N.J.A.C. 7:26A-3.5(a)3. Failure to submit a complete and timely response may result in the Bureau denying the application as technically incomplete pursuant to N.J.A.C. 7:26A-3.5(c).

If you have any questions concerning this matter, please contact Robin Heston of my staff at (609) 984-6650, or by email at robin.heston@dep.state.nj.us.

Very truly yours,

S. Bhalla

Sukhdev S. Bhalla, P.E., Chief
Bureau of Landfill & Recycling Mgmt

Enclosure

- c: Wolf Skacel, Director, County Environmental & Waste Enforcement Programs
Guy Watson, Chief, Bureau of Recycling & Planning
Rai Belonzi, Chief, Division of Waste, Recycling & Land Use
Pat Ferraro, Division of Waste, Recycling, & Land Use
Joel Leon, Bureau of Air Quality Engineering
Steven Wymbs, Cumberland County Solid Waste Coordinator
~~Municipal Clerk, City of Vineland~~

rcytnod.rtf

3

(

(

(

From the desk of:
Brian Horne/President

Item 2



MID ATLANTIC RECYCLING TECHNOLOGIES INC.

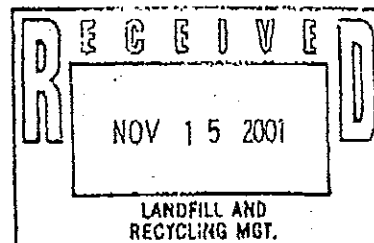
(856) 696-3435 • FAX 696-9227
3137 CHAMMINGS COURT • VINELAND, NJ 08360

November 14, 2001

VIA FED-EX

Ms. Robin Heston
New Jersey Department of Environmental Protection
401 East State Street, 2nd Floor
Trenton, NJ 08625

RE: MART, Inc - Class B Recycling Permit
Recycling Facility No. 0614001405



Dear Robin:

Pursuant to our most productive and helpful meeting on October 24, 2001, this correspondence is intended supplement our letter of August 3, 2001 in hopes of further clarifying the information presented at that time. The general categories with pertinent information requested are as follows:

1. Specific Examples of Recycled Product Uses.

As discussed in our previous correspondence, MART intends to sell it's treated and recyclable end products into commerce as fill material, various stone substitutes, and asphalt feed stock. Attachment "A" provides examples of such commitments and letters of interest from companies which have interest in such materials.

2. Information on MART Material Tracking Since 1997.

As discussed, MART's end users of the treated soils tend to require the material in a cyclic nature and volumes vary significantly on a month to month basis. An example of this phenomena is presented in our material tracking data found in Attachment "B". Of note, the column denoted as "Net" is simply the difference between Incoming tonnage and outgoing tonnage. As you know, this value does not accurately represent the actual (and lower) volume of treated soil on site due to additional volume reductions realized from the vaporization of water and destruction of oil in the TDU as well as the removal and recycling of concrete prior to the treatment of the screened soil.

3. Calculation on Material Stockpile Area's Sizes.

Revised Plot Plan's of the stockpile area's are presented in Attachment "C".



Item 2**4. Crushing of Concrete in Untreated Soil Stockpile.**

In addition to screening of unprocessed materials within the untreated stock pile area, crushing of concrete is also performed. The manufactures information on the crusher is presented in Attachment "D".

5. NJDEP Air Permit Testing Criteria and MART Post Treatment Analytical Criteria Being Used.

The Air Permit's testing criteria for incoming soils as well as MART's criteria being used to test incoming materials and outgoing materials is presented in Attachment "E".

6. Clarification on Recycled Material Screening.

As depicted in attachment "C", Area's "5" are used to store processed materials as well as screen out more valuable stone. The screening will typically and generally take place in the specified area shown. However, the screening plant is mobile and may, From time to time, be employed in other strategic locales within portions of Area "5".

You may reach me at your convenience at 856-696-3435 should you need any further clarification on these comments. In the mean time, I remain,

Sincerely yours,

Brian Horne
President

Greg Call, President - CASIE Protank

(3)

1 Tem 2

MART SOIL ACTIVITY

	<u>Incoming Soil</u> (Tons)	<u>Outgoing Soil</u> (Tons)	<u>Net</u>	<u>Running Total</u>
1997	38,712.20	23,309.19	15,403.01	15,403.01
1998	40,188.12	800.48	39,387.64	54,790.65
1999	165,210.93	66,772.50	98,438.43	153,229.08
Jan-00	10,415.96		10,415.96	163,645.04
Feb-00	8,350.55		8,350.55	172,000.59
Mar-00	19,933.90		19,933.90	191,934.49
Apr-00	12,332.57	47.24	12,285.33	204,219.82
May-00	16,613.70		16,613.70	220,833.52
Jun-00	9,296.95		9,296.95	230,130.47
Jul-00	3,751.91	7,987.80	(4,235.89)	225,894.58
Aug-00	11,329.04	4,772.05	6,556.99	232,451.57
Sep-00	5,308.58		5,308.58	237,760.15
Oct-00	9,471.27	49.74	9,421.53	247,181.68
Nov-00	12,060.13	10,580.78	1,479.35	248,661.03
Dec-00	22,244.70	13,635.05	8,609.65	257,270.68
Jan-01	17,910.27	26,789.05	(8,878.78)	248,391.90
Feb-01	13,612.38	20,336.40	(6,724.02)	241,667.88
Mar-01	16,893.58	10,395.67	6,497.91	248,165.79
Apr-01	14,405.17	939.90	13,465.27	261,631.06
May-01	10,689.91	7,595.97	3,093.94	264,725.00
Jun-01	12,787.76	4,650.34	8,137.42	272,862.42
Jul-01	18,257.25	3,658.28	14,598.97	287,461.39
Aug-01	13,988.70	11,000.00	2,988.70	290,450.09
Sep-01	10,527.53	7,126.98	3,400.55	293,850.64

514241 -

220325 -

10070

4370

572

(9)

((

((

((

Item 3

4755

From the desk of:
Brian Horne/President



(856) 696-3435 • FAX 696-9227
3137 CHAMMINGS COURT • VINELAND, NJ 08360

April 9, 2003

VIA FED-EX

Ms. Robin Heston
New Jersey Department of Environmental Protection
401 East State Street, 2nd Floor
Trenton, NJ 08625

RE: MART, Inc - Class B Recycling Permit
Recycling Facility No. 0614001405

Dear Robin:

Pursuant to our conversation, this correspondence is intended to (1) present the modifications desired by MART to the current above referenced permit (dated August 1, 2001) and (2) address the minor additions needed to continue the current operations. For ease of organization and clarity, we present these changes sequentially as follows:

Changes / Modifications to Current Permit:Section III, 1 (a)(1).

??? Please include, in the definition of "soil", the inclusion of recyclable concrete up to levels of 50% by weight as MART frequently encounters such materials and recycles such concrete. We believe that Section III, 3 & 4 already allow for this yet believe clarity would be of assistance.

Section III, 6 (e)(3).

ok As presented in the revised and attached site plan (see Attachment "A"), the actual capacity of the lined storage area was previously miscalculated and requires modification. Remaining within the NJDEP's limit of 25 feet height, the area can readily hold 25,000 cubic yards / 37,500 tons of material. Accordingly the total volume limit should read 25,000 cubic yards.

Section III, 7.

As previously discussed, the Waste Analysis Section (consisting of 3 pages of extensive testing requirements) of MART's Air Quality Permit should be the governing requirement for testing of incoming soils. It should be noted that the criteria are very similar to the Class B Recycling permit and should be used to govern compliance with both Approval's. Accordingly, we would ask that the Class B Approval be modified by deleting Section III, 7.

(5)



1 Team 3

(a), (b), and (c) and that Section III, 7. (d) reflect that all such materials be tested in accordance with the Air Permit.

Section III, 8.

The sampling frequency being incorporated in Section III., 8 is financially catastrophic, unfeasible and provides no further environmental safeguards then previously. There exists no sampling criteria which is analogous to the original sampling criteria set forth in the October, 1997 permit which allowed for the sampling of treated soils on a composite basis and performed each 1,000 cubic yards.

We would propose that the sampling frequency of processed materials be revised to reflect the October 31, 1997 approval document.

Minor Additions to Current Permit:

The revised and attached site plan incorporates a more clear description of the activities performed at the MART facility and also includes the inclusion of the 4 acre recyclable product area discussed with your department. A description of these area's is as follows:

1. Screening and crushing of unprocessed materials within the lined outside storage area in order to separate recyclable materials such as metal and concrete from contaminated soils and plastic. This is performed in the lined area, as depicted in the attached site plan, thru the use of 2 different manufactures screeners and a crusher as depicted in the manufactures design specifications as presented in Attachment "B".
2. Screening of unprocessed materials in the unprocessed soils building in order to separate recyclable materials such as metal and concrete from contaminated soils and plastic. This is performed in the unprocessed soil building, as depicted in the attached site plan, thru the use of 2 different manufactures screeners as depicted in the manufactures design specifications as presented in Attachment "B".
3. Soreened and separated concrete is staged adjacent to the lined area as depicted in the attached site plan, in order to allow such material to be loaded onto trucks for shipment to NJDEP permitted Class "B" concrete recycling facilities. Removal of recyclable metal and minor amounts of plastic and non-recyclable materials would also take place in this area.
4. Screened and separated metal, destined to be recycled is placed in roll-off containers as depicted in the attached site plan.
5. Screened and separated plastic and non-recyclable debris, destined to be disposed of in a secure landfill is staged in the outside unprocessed soil storage area as depicted in the attached site plan.

The placement of processed recyclable product on the 4 acre parcel of land located immediately adjacent to the currently permitted 8 acre facility as depicted in the attached site plan. This parcel of land has a staging capacity of recycled product as indicated in the attached site plan.

7. The creation of more valuable recycled end products thru the screening and further

60

Item 3

segregation of processed soils and stone with the use of either screener presented in Attachment "B". This activity is performed on the land immediately east of the outside unprocessed soil area as well as throughout the 4 acre parcel of land.

8. As further clarification of the end uses for the recyclable treated soils, MART sells or otherwise transacts for the use of such materials, on an as generated basis by the TDU process, for use as industrial, commercial, and residential sub grade (below 6 inches) fill material. Additionally, MART sells or otherwise transacts for the use of such materials, on an as generated basis by the TDU process, for use as landfill cover at various local landfills. The screening of treated soils results in the generation of stone in various sizes and such stone is sold or bartered for use as a sub-grade construction and / or fill material. Uses include sub-base materials for road and highway construction.

Other:

We have attached our November 14, 2001 clarification letter hereto (please see Attachment "C") so as to insure that all desired information is presented to your offices. Finally, while the 4 acres is included in these descriptions and associated maps, it appears necessary as Cumberland County needs such information in order to proceed with their activities. MART understands that the DEP shall not take action on the 4 acre request until the area is included in the County Plan.

MART, Inc. believes that the remaining conditions existing in the current permit are acceptable and should remain as currently exists. We look forward to hearing from you on these two matters as soon as possible. You may reach me at your convenience at 856-696-3435 should you need any further clarification on these comments. In the mean time, I remain,

Sincerely yours,



Brian Horne
President

Greg Call, CASIE Protank
Frank Reisenburger, Esq.

7

((

((

((

Item 4

MEMORANDUM

August 7, 2003

TO: Mayor Barse

FR: Patrick Finley, Zoning Officer

RE: Concrete crushing and recycling operations.

In response to your inquiry regarding allowance for concrete crushing operations under the City of Vineland Land Use Ordinance, please be advised of the following information.

The crushing of concrete (or stone) would be considered a heavy industrial use and is therefore a permitted use in the I-3 & I-4 zones. It is an expressly prohibited use in the other industrial zones, specifically the I-B, I-1 and I-2 zones, where the City's Industrial Parks are primarily located.

If you have any questions or I can be of further assistance, please contact me.

Respectfully,


Patrick Finley
Zoning Officer

