

AMENDMENT #6

TO THE CUMBERLAND COUNTY

SOLID WASTE MANAGEMENT PLAN

MAY 1989

PREPARED BY THE

CUMBERLAND COUNTY IMPROVEMENT AUTHORITY

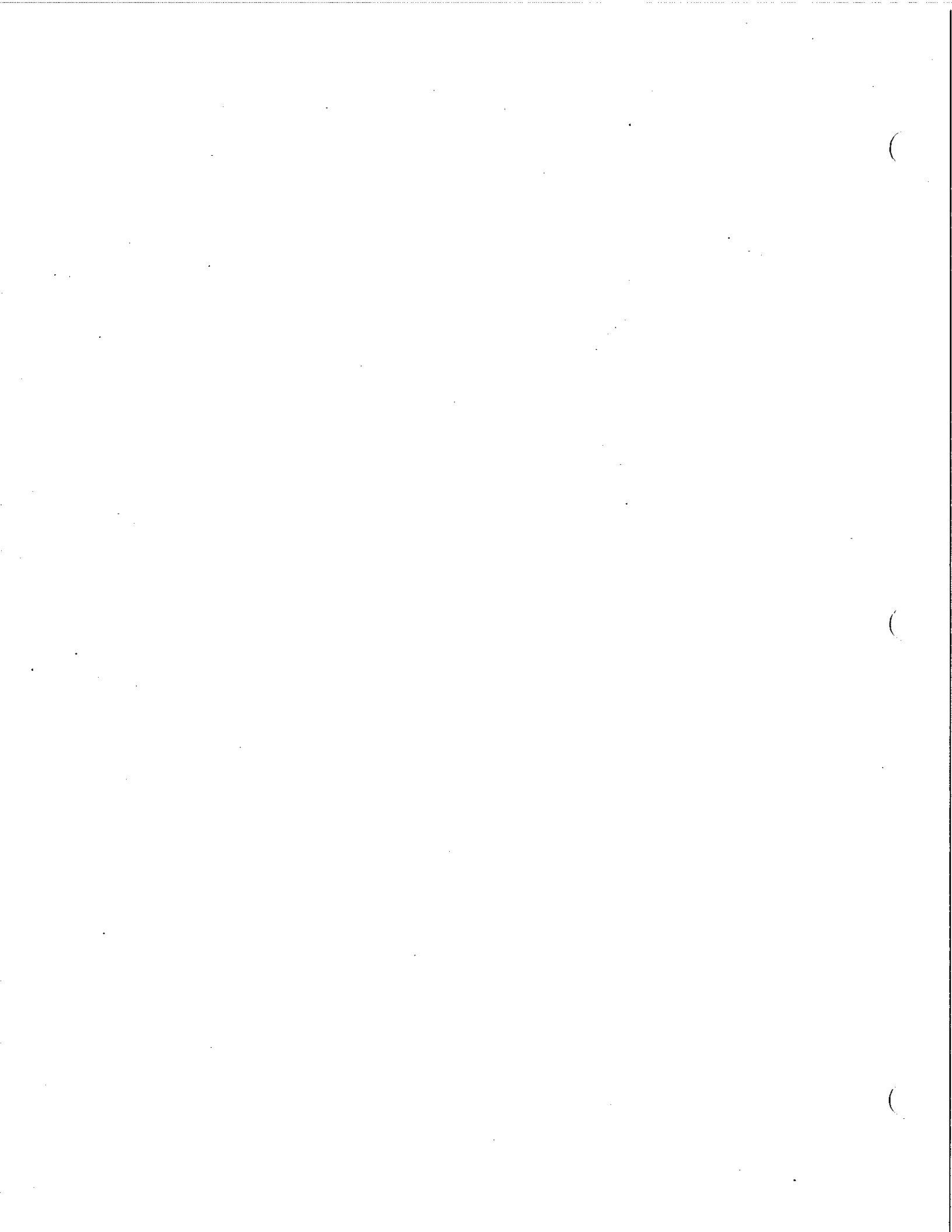
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AMENDMENT #6  
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## 1.0 INTRODUCTION

The County of Cumberland proposes to amend the Cumberland County Solid Waste Management 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, a new Plan may be adopted.

The Cumberland County Solid Waste Management Plan was adopted by Cumberland County Board of Chosen Freeholders on December 13, 1979, and approved with modifications by the Commissioner of the Department of Environmental Protection ("The Department") on March 4, 1981. The County amended the Plan on July 14, 1983 and the Commissioner approved such amendment on December 22, 1983. On March 15, 1984, the County amended the Plan to include the specific location of the County's new secure sanitary landfill, located in Deerfield Township, to be developed and operated by the Cumberland County Improvement Authority. On May 8, 1986 the County updated the Plan according to the requirements of the Act, and the Commissioner approved such Amendment on October 10, 1986. On October 17, 1987 Amendment #4 and #5 was submitted and the Commission approved with modifications both amendments on March 9, 1988. This amendment addresses the modifications to Amendments 4 and 5 as required by the NJDEP.

To insure the broadest possible participation by the general public in this Plan Amendment process, the Cumberland County Board of Chosen Freeholders will conduct a public hearing on Thursday, May 11, 1989 at 4:00 P.M. in the County Administration Building. All County residents, public officials or organizations interested in Amendment #6 to the County Solid Waste Management Plan are encouraged to attend and offer testimony.

Inquires and written comments or questions concerning this proposed Plan Amendment may be addressed to:

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

OR

Cumberland County Improvement Authority  
2 West Vine Street  
Millville, New Jersey 08332  
609-825-3700

## 2.0 MODIFICATIONS TO AMENDMENT #4 -- COUNTY RECYCLING PLAN

In its memorandum of March 9, 1988 the NJDEP requested certain modifications to Amendment #4, the County Recycling Plan.

2.1 The first item referenced the use of a 4.23 (cubic yds. per ton) conversion factor and the breakdown in table 4-1. Since the Cumberland County landfill has been operating since October 1987, it is now possible to use actual tonnage figures received at the landfill. Therefore, the conversion factor is no longer valid. Also, table 4-1 has been revised and is now presented as Appendix A.

2.2 The next item referenced was the requirement to identify facilities proposing to accept or process food wastes other than swine producers. To date only one other firm has indicated interest in processing food wastes. This firm is:

R.W. Wozunk By-Product Company  
Bone - Fat Suet - Grease  
Bridgeton, New Jersey 08302

2.3 The next item referenced was that the Model Municipal Ordinance should indicate in Section 10(a) and (c) that leaves are to be disposed of in an NJDEP approved composting facility. The ordinance has been revised to indicate this requirement. See Appendix B for the revised section of the ordinance.

2.4 The next item referenced was the development of a strategy for the collection and disposition of designated recyclables in the commercial and institutional sectors that is consistent with N.J.S.A. 13:1E-99.13. The relevant section from this reference is as follows:

Within six months of the adoption by the County and approval by the department of the district recycling plan required pursuant to section 3 of this amendatory and supplementary act, each municipality shall provide for a collection system for the recycling of the recyclable materials designated in the district recycling plan as may be necessary to achieve the designated recovery targets set forth in the plan in those instances where a recycling collection system is not otherwise provided for by the generator or by the county, interlocal service agreement or joint service program, or other private or public recycling program operator.

To meet this requirement the following will be added within section 5.0 "Designation of Recycling Strategy" of the County Recycling Plan on page 28.

"The commercial, institutional and industrial sectors are required to contract directly with haulers (if necessary) and material brokers for the disposition of their recyclables. The purpose of this strategy is to provide an income incentive to those entities for recycling. Also, this will provide haulers and local material brokers additional business thus strengthening and expanding their business. The County will provide support for this strategy by conducting quarterly seminars outlining the services that haulers and material brokers can provide, and also, presenting what material generators have to offer. The County will act as a networking agency to bring together generators with haulers and material brokers. Also, any generators who have commingled recyclable materials that are acceptable to the County Material Separating Facility will be permitted to deliver them there. This strategy will be enforced by municipal ordinances and reviewed for effectiveness yearly".

2.5 The next item references the following sentence on page 45 of the County Recycling Plan: "The County hopes local recycling businesses will continue to purchase, process, (shred, flatten, bale) and market the metal and PET-plastic containers and the newspaper".

This is modified to read as follows: "The County intends to provide local recycling businesses with the opportunity through the bidding process to purchase, process (shred, flatten, bale) and market all materials generated at the County owned Material Separating Facility".

2.6 The next item requires the provision of public notice with regards to the modification of the recycling plan. The modification of Section 6.0 "Modification of Recycling Plan" is included as Appendix C.

2.7 The next item requests the outlining of leaf composting facility capacity in greater detail. Appendix D contains an updated Table 10-1 entitled "Existing and Proposed Leaf Compost Sites". The townships not indicated on this list (Shiloh, Stow Creek, Deerfield) are negotiating with adjacent municipalities for the shared use of their leaf compost facility.

2.8 The next item indicates that in Section 8.0, "Exemption from Recycling Provisions" that the language as follows: "Commercial or institutional establishments will be exempt from source separation requirements..." shall be changed. See Appendix E for the revised version.



### 3.0 MODIFICATIONS TO AMENDMENT #5

#### 3.1 Resource Recovery Investment Tax Fund Disbursement Schedule

The location of the Material Separating Facility (MSF) is in Deerfield Township, Cumberland County, lot 34, 35, 36, 37, block 42 on the site of the Cumberland County Solid Waste Complex

The vendor for the design and construction of the facility is New England Cr Inc. of North Billerica, Massachusetts. The Count Company separating and processing equipment is being utilized to sort and prepare materials for marketing. The final design and construction contract will be submitted to the NJDEP as part of the McEnroe Process provisions.

Appendix F contains the revised Policy Statement, Disbursement Schedule and MSF Completion Schedule.

#### 3.2 Convenience/Recycling Centers

Appendix G contains the policy providing for a public notice procedure for municipal Convenience/Recycling Centers.

A more precise description of each municipality's Convenience/Recycling Center follows:

See Table 3.1 for number and types of containers and operating hours.

In general, the operating characteristics of the Convenience/Recycling Centers are similar and meet the following pattern:

- a. Resident enters a fenced in area in their vehicle and show proof of residence in municipality.
- b. They approach the trash receiving receptacle (stationary compactor, compactor truck, open-top roll-off container) and deposit their solid waste as directed by the attending staff. Recyclables are deposited in the appropriate recycling container.
- c. They then leave through a second gate in most cases.

All centers are staffed when they are in operation and some have raised ramps adjacent to the trash receptacle or the operating staff provide assistance in depositing the solid waste in walk-in roll-offs.

All centers mitigate adverse impacts by being fenced in and by utilizing staff to collect any blowing trash. Also, the trash containers are removed and taken to the County Landfill within two days to mitigate any air emissions.

The recyclables will be removed as the collecting container is filled and delivered to the County Material Separating Facility at the Cumberland County Solid Waste Complex by either municipal employees or privately contracted haulers.

### 3.3 Solid Waste Contingency Plan

The County is in the process of developing the prioritized steps and schedule for implementing this plan to facilitate a response should an emergency occur. Also, Item Number 7 of the Commissioner's February 23, 1987 guidance is being developed.

TABLE 3.1

CUMBERLAND COUNTY  
CONVENIENCE CENTER OPERATIONS

<u>MUNICIPALITY</u>	<u>OPERATION PLAN</u>	<u>OPERATION</u>	
		<u>DAYS</u>	<u>HOURS</u>
Bridgeton	Roll-Offs	Monday	8-3
	Open-Top	Friday	8-3
	Provided by Contractor as needed	Saturday	8-3
Commercial	Not in operation		
Downe	Compactor Truck	Wednesday	7-12
	Open storage area for recyclables	Saturday	7-2
	Closed storage area for newspaper		
	Fenced in area for white-goods		
Fairfield	Roll-Offs	Wednesday	8-4
	Open-Top	Saturday	8-4
	Two to Four		
Hopewell/Greenwich	Two stationary compactors	Wednesday	8-5
	Two closed roll-offs	Saturday	8-5
	Four open roll-offs		
	Three trailers for recyclables		
Lawrence	Roll-Offs	Wednesday	7-4
	Open-Top	Saturday	7-4
	Provided by contractor as needed		
Maurice River	Storage Areas (Recyclables Only)	Municipal Employee Access Only	
Stow Creek	Roll-Offs	Wednesday	8-4
	Provided by contractor as needed	Saturday	8-4
Upper Deerfield	One stationary compactor	Monday	8-3
	Two closed roll-offs	Friday	8-3
	Two open roll-off	Saturday	8-3
	Recyclables stored inside		

APPENDIX A

TABLE 4-1  
(AS REVISED APRIL 25, 1989)

ESTIMATED RECYCLED MATERIAL FOR CUMBERLAND COUNTY

TOTAL MUNICIPAL SOLID WASTE DISPOSED 1988 = 172,528 TONS (NOTE #1)  
 REQUIRED RECYCLING TONS @ 15% GOAL = 25,879 TONS (NOTE #2)

TOTAL MUNICIPAL SOLID WASTE PROJECTED 1989 = 172,673 TONS (NOTE #3)  
 REQUIRED RECYCLING TONS @ 25% GOAL = 43,168 TONS (NOTE #4)

PER CENT BREAKDOWN BY MATERIAL AND RECYCLING GOAL REQUIREMENTS

RECYCLA- BLE MATERIAL	RECYCLA- BLES AS PER CENT OF TOTAL MSW (#5)	TOTAL AVAILABLE AMOUNTS 1989 TNS/YR	1989 RECOVERY RATES	RECOVERY AMOUNTS FOR 15% GOAL TNS/YR	TOTAL AVAILABLE AMOUNTS 1990 TNS/YR	1990 RECOVERY RATES	RECOVERY AMOUNTS FOR 25% GOAL TNS/YR
GLASS	11.0%	18978	45%	8,540	18994	69%	13,111
ALUMINUM	0.5%	863	45%	388	863	69%	596
FERROUS	2.0%	3451	45%	1,553	3453	69%	2,384
PET-BTLS	0.3%	518	45%	233	518	69%	358
NEWSPAPER	8.8%	15182	45%	6,832	15195	69%	10,489
MIXED PPR	4.0%	6901	26%	1,773	6907	50%	3,453
HI-GRADE	2.9%	5003	26%	1,285	5008	50%	2,504
CORRUGATE	8.9%	15355	26%	3,945	15368	50%	7,684
WHITE GDS	2.0%	3451	26%	886	3453	50%	1,727
FOOD WST	1.0%	1725	26%	443	1727	50%	863
	41.4%	71,427		25,879	71,487		43,168
				PER CENT OF TOTAL MSW =	15.0%		25.0%

- NOTES: 1. Actual tonnage received at the landfill equal to 162,250 tons. The total includes an estimate of 10,278 tons recycled in the county.  
 2. Required tonnage to meet 15% goal if 1988 is used as the base year.  
 3. Estimated total tonnage including recyclables.  
 4. Required tonnage to meet 25% goal if 1989 is used as the base year for the second year goal.  
 5. Percents determined from "Cumberland County Alternatives to Increase Recycling of Municipal Solid Waste", December 1984. PET bottles per cent determined from 65 bottles per year per capita.

APPENDIX B

Section 10. Mandatory Source Separation of Leaves.

(a) No person shall dispose of leaves, arrange for the disposal of leaves, or cause leaves to be disposed at any solid waste facility other than an NJDEP approved composting facility.

(b) All persons who gather leaves and who are served by a municipal program for separate collection of leaves shall source separate all leaves and place them for collection at the times and in the manner heretofore or hereafter prescribed by this Municipality.

(c) All persons who gather leaves and who are not served by a municipal or County program for separate collection of leaves shall arrange for the separate disposal or processing of leaves at an NJDEP approved composting facility or an agricultural, horticultural, silviculture, or other commercial operation which processes or utilizes leaves for compost, mulch, or other beneficial uses.

(d) Nothing herein shall require any person to gather leaves or prevent any person from utilizing leaves for compost, mulch, or other agricultural, horticultural silvicultural, gardening or landscaping purposes.

## APPENDIX C

### 6.0 MODIFICATION OR RECYCLING PLAN

This section is in accordance with Section 3d of the Act and following DEP Office of Recycling Guidelines Section D.

The procedure for modifying any aspects of this plan are as follows:

1. Notification of any planned modifications must be made to the Executive Director, Cumberland County Improvement Authority.
2. The modifications will be reviewed for compliance with the overall objectives of the Plan.
3. Notification of planned modifications will be published in the Bridgeton Evening News, The Daily Journal and the Atlantic City Press indicating that comments regarding the modification will be accepted for 30 days from the publication date. Following receipt of any comments the Cumberland County Improvement Authority will conduct a meeting with the respondents and other interested parties to resolve any issues. After this resolution the final modifications will be submitted to the Solid Waste Advisory Council, the Cumberland County Improvement Authority Board of Directors and the Freeholders for approval for inclusion in the County Recycling Plan and submission to the NJDEP.
4. Subsequent to NJDEP approval the modifications will be incorporated into the County Recycling Plan.

The Plan requires that any municipality not meeting the annual percentage goals required under Section 3 of the Act should submit program changes, which will bring the municipality into conformance within 60 days after submitting tonnage grant applications. Tonnage grant quantities will be used to determine annual recycling percentages pursuant to the Act.

APPENDIX D

TABLE 10-1

(As revised April 25, 1989)

Existing and Proposed Leaf Compost Sites

MUNICIPALITY	LOT	BLOCK	DEP APPROVAL	DEP APPLICATION
1. Millville	53A	631	3/14/84	
2. Upper Deerfield	6	47	5/12/87	
3. Vineland				
#1 West	22	880		1987
#2 East	10	1026		1989
4. Greenwich/ Hopewell	35	76		1989
5. Bridgeton				1989
6. Commercial	12	171		1989
7. Downe	43	14		1989
8. Fairfield	79	36		1989
9. Lawrence	13	205.1		1989
10. Maurice River	18	65		1989
11. County 34,35,36,37		42		1990

## APPENDIX E

### 8.0 EXEMPTION FROM RECYCLING PROVISIONS

This section is in accordance with Section 6d of the Act and following DEP Office of Recycling Guidelines Section F.

Commercial, institutional or industrial establishments may be exempt from the source separation requirements of the municipal ordinance if those establishments have otherwise provided for the maximum practical recycling of designated recyclable materials, or materials unique to the operation of the establishment, separate from solid waste generated at those establishments. To be eligible for an exemption to the requirements of the ordinance, a commercial or institutional solid waste generator shall annually provide written documentation to the municipality of the total number of tons recycled. This documentation shall include the material recycled, the quantity of material, the broker of the material, and the end user (if known). This information should be provided to the Municipal Recycling Coordinator and the County Recycling Coordinator on an annual basis and at a time preceding the yearly State Tonnage Grant Report deadline.



## APPENDIX F

### Policy Statement

The disbursement of funds from the Resource Recovery Investment Tax Fund shall be based upon the funds necessary to design and construct the Material Separating Facility (MSF) and to purchase the initial equipment and funds necessary to subsidize its operation until it is able to meet its expenses. Also, funds will be used for purchasing residential recycling containers which will be provided to all households in Cumberland County in 1989 and 1990. In addition, funds will be allocated to the County Health Department for the hiring of personnel to enforce the County Solid Waste Management Plan including the Recycling Plan. The implementation of a Material Separation Facility will also result in a reduction in solid waste capacity of a future resource recovery facility. This will result in lower capital and operating costs. In addition, the bulk of materials which will be separated out of the solid waste stream are non-combustibles and will enhance the efficient combustion of solid waste within the incinerator.

The balance of the fund shall be used for purpose of development, construction, implementation, and operation of a resource recovery facility, thereby, reducing user fees to the residents and businesses of the Cumberland County Solid Waste District. This facility is presently in the early planning stages and a site has not been designated.

A preliminary disbursement schedule is found in Table 3-2. A new disbursement schedule will be submitted directly to the NJDEP after a contract has been authorized with the MSF vendor.

Construction of the MSF is scheduled to begin in July, 1989 with completion in January, 1990.

TABLE 3-2 \*

DISBURSEMENT SCHEDULE FROM THE  
RESOURCE RECOVERY INVESTMENT TAX FUND

YEAR	PREVIOUS FUNDS AVAILABLE	EXPECTED INCOME	TOTAL FUNDS AVAILABLE	EXPENDITURES			OTHER PROJECTS INCLUDING RRF	YEAR END BALANCE REMAINING
				MSF DESIGN & CONSTRUCTION	MSF OPERATIONS			
1988	\$863,928		\$863,928	\$150,000				\$713,928
1989	\$713,928	\$704,014	\$1,418,742	\$800,000	\$139,090		\$300,000	\$178,852
1990	\$178,052	\$613,445	\$792,297	\$432,043	\$117,009		\$200,000	\$42,365
1991	\$42,365	\$507,773	\$630,138	\$432,043	40		\$50,000	\$148,095
1992	\$140,095	\$572,532	\$720,627	\$432,043	40		\$50,000	\$238,504
1993	\$238,504	\$561,077	\$799,561	\$432,043	40		\$50,000	\$317,618
1994	\$317,618	\$559,788	\$877,406		40		\$50,000	\$827,406
1995	\$827,406	\$565,389	\$1,392,795				\$50,000	\$1,342,795
1996	\$1,342,795	\$570,991	\$1,913,706				\$50,000	\$1,863,706
1997	\$1,863,706		\$1,863,706				\$50,000	\$1,813,706

ABBREVIATIONS: MSF = MATERIAL SEPARATING FACILITY  
RRF = RESOURCE RECOVERY FACILITY

\* As revised April 25, 1989

## APPENDIX G

### MUNICIPAL CONVENIENCE/RECYCLING CENTERS

#### POLICY AND PUBLIC NOTICE PROCEDURE

As outlined in the Solid Waste Management Act, (N.J.S.A. 13:1E-4), the New Jersey Department of Environmental Protection, ("DEP") is not permitted to approve the registration of any solid waste operation or facility which does not conform with, or is not included in, the Solid Waste Management Plan of the Solid Waste District in which such operation or facility is to be located. In order for the DEP to approve the registration of new and existing solid waste facilities, the appropriate District Solid Waste Management Plan has to be amended by the District and approved by the DEP.

Since amending district plans is elaborate and time consuming, particularly for minor solid waste facilities such as Municipal Convenience/Recycling Centers, the DEP has recommended that there be a public notice procedure for inclusion of these centers into the County Solid Waste Management Plan.

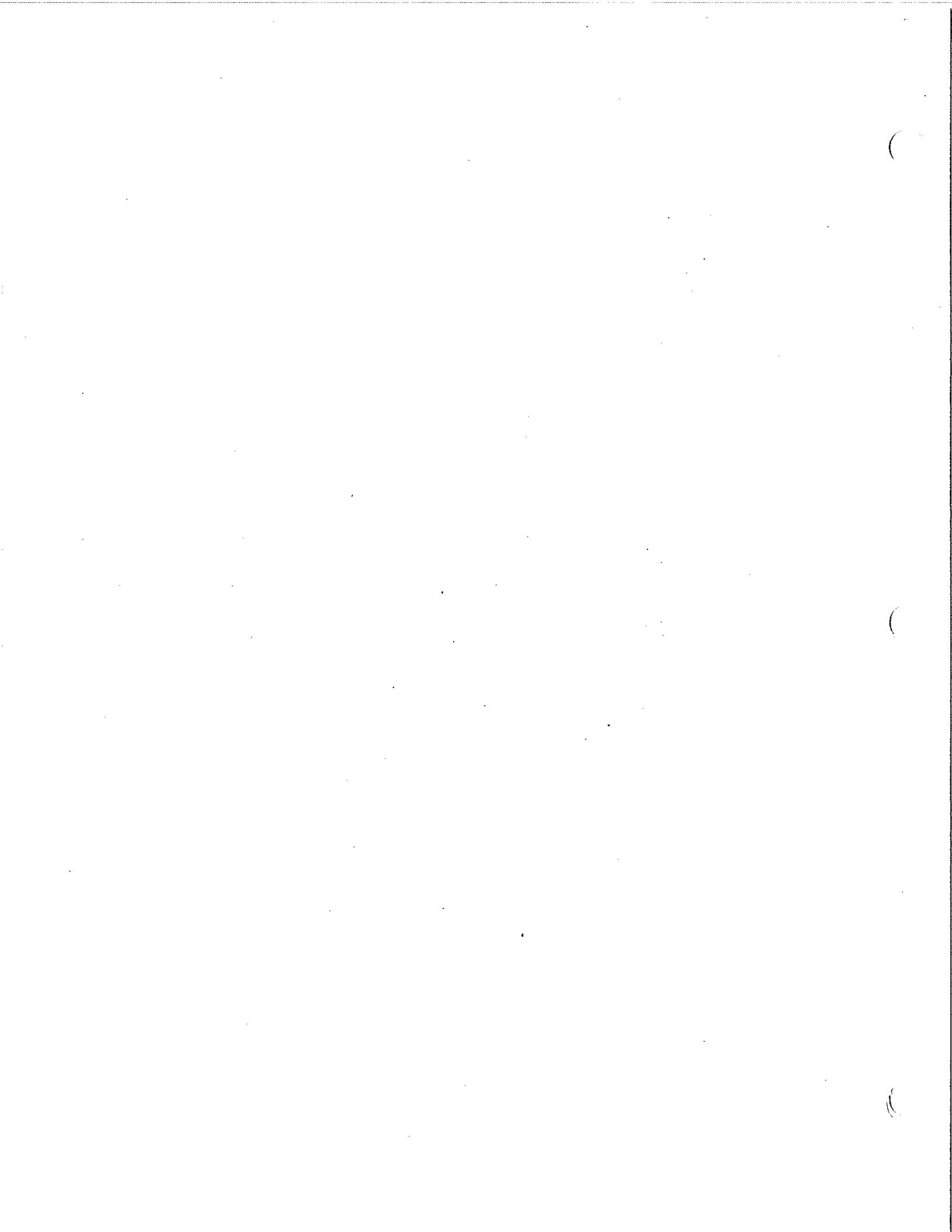
Policy Statement. The policy of the Cumberland County Solid Waste Management District states that any application for a Municipal Convenience/Recycling Center is consistent with the Approved Cumberland County District Solid Waste Management Plan and no further plan modification is required to include the facility or site, provided that:

1. The operating and design conditions in Amendment #5 are met to the satisfaction of the Cumberland County Improvement Authority, the Cumberland County Health Department and the New Jersey Department of Environmental Protection.
2. If the proposed site of operation is located within the Pinelands area, the Pinelands Commission is first notified in writing of the proposed use.
3. The host municipality notifies the Cumberland County Improvement Authority in writing of the proposed use including any applicable engineering designs, reports, maps, etc., which are pertinent.
4. The municipality publish two (2) notices of the proposed use, one each week for two (2) consecutive weeks, in a newspaper of general circulation within the host municipality. A notice shall set forth:
  - a) the nature of project;
  - b) the block and lot number of the site location;

- c) the generally recognized address of site;
  - d) the location of the depositories (which in all cases, shall be the municipal building and the Office of the Solid Waste Management District) for inspection of the complete application and supporting documents; and
  - e) a statement that written comments on the proposed application will be accepted by the Office of the Solid Waste Management District for a period of 30 days from the date of the first notice.
5. No objections to the site location are raised by the host municipality, the solid waste management district, the Pinelands Commission, if applicable, or any other person; provided further however, that if any such objection be raised, the proposed site and facility must be subject to the formal plan amendment process pursuant to N.J.S.A. 13:1E-23 and 24 including notice, public hearing, Freeholder Board approval, and subsequent DEP approval.
6. An applicant that has satisfied the procedural requirements (newspaper notice, etc.) outlined in Items #1 to 4 above and there are no objections raised, may then submit a completed application to the Department for review accompanied by a letter from the County stating the proposed facility's consistency with the District Plan. If a proposed application raises objections, the County must amend its Plan to formally consider inclusion of the facility. Upon amendment of the Plan, the applicant shall then submit the application to the Department for review.

APPENDIX A

FREEHOLDER APPROVAL OF PLAN AMENDMENT #6



MINUTES  
OF  
MEETING

JUNE 13, 1989

The Board of Chosen Freeholders of the County of Cumberland, held a Regular Meeting on Tuesday, June 13, 1989, at 4 o'clock, prevailing time in the Freeholders Conference Room, Cumberland County Administration Building, 790 East Commerce Street, in the City of Bridgeton, New Jersey.

Director James F. Quinn called the meeting to order.

Director Quinn announced that adequate notice of this meeting was provided in accordance with ch. 231, P.L. 1985 (The Open Public Meetings Act).

The Invocation was given by Rev. Anthony Zemrowski, St. Teresa of Avila Church, Bridgeton, New Jersey.

The Flag Salute was led by Freeholder A. William Biondi.

The Clerk called the roll and the following members were present: Director Quinn, Freeholders, Mr. Biondi, Mrs. Lookabaugh, Mr. McCormick, Mr. Miller, Mr. Padgett and Dr. Reinard. (7)

The Reading of the Minutes of the last meeting was dispensed with upon motion duly made and seconded.

There was no correspondence to be read by the Clerk.

The following resolutions were passed without dissent:

At this time, a motion was made by Mr. Padgett, seconded by Mr. Miller, to open the Public Hearing On Proposed Amendment No. 6 To Cumberland County Solid Waste Management Plan. The following was the roll call vote: Mr. Quinn, yes; Mr. Biondi, yes; Mrs. Lookabaugh, yes; Mr. McCormick, yes; Mr. Miller, yes; Mr. Padgett, yes; Dr. Reinard, yes. Director Quinn then declared the Public Hearing Open.

No one from the public spoke. Larry Klock, Solid Waste Coordinator, then spoke on the Amendment.

At this time, Mr. Biondi made a motion to Close the Public Hearing, seconded by Dr. Reinard. The Clerk called the roll and the following was the roll call vote: Mr. Quinn, yes; Mr. Biondi, yes; Mrs. Lookabaugh, yes; Mr. McCormick, yes; Mr. Miller, yes; Mr. Padgett, yes; Dr. Reinard, yes. Director Quinn declared the Public Hearing closed, and amendment #6 adopted.

Mr. Biondi offered the following resolution:

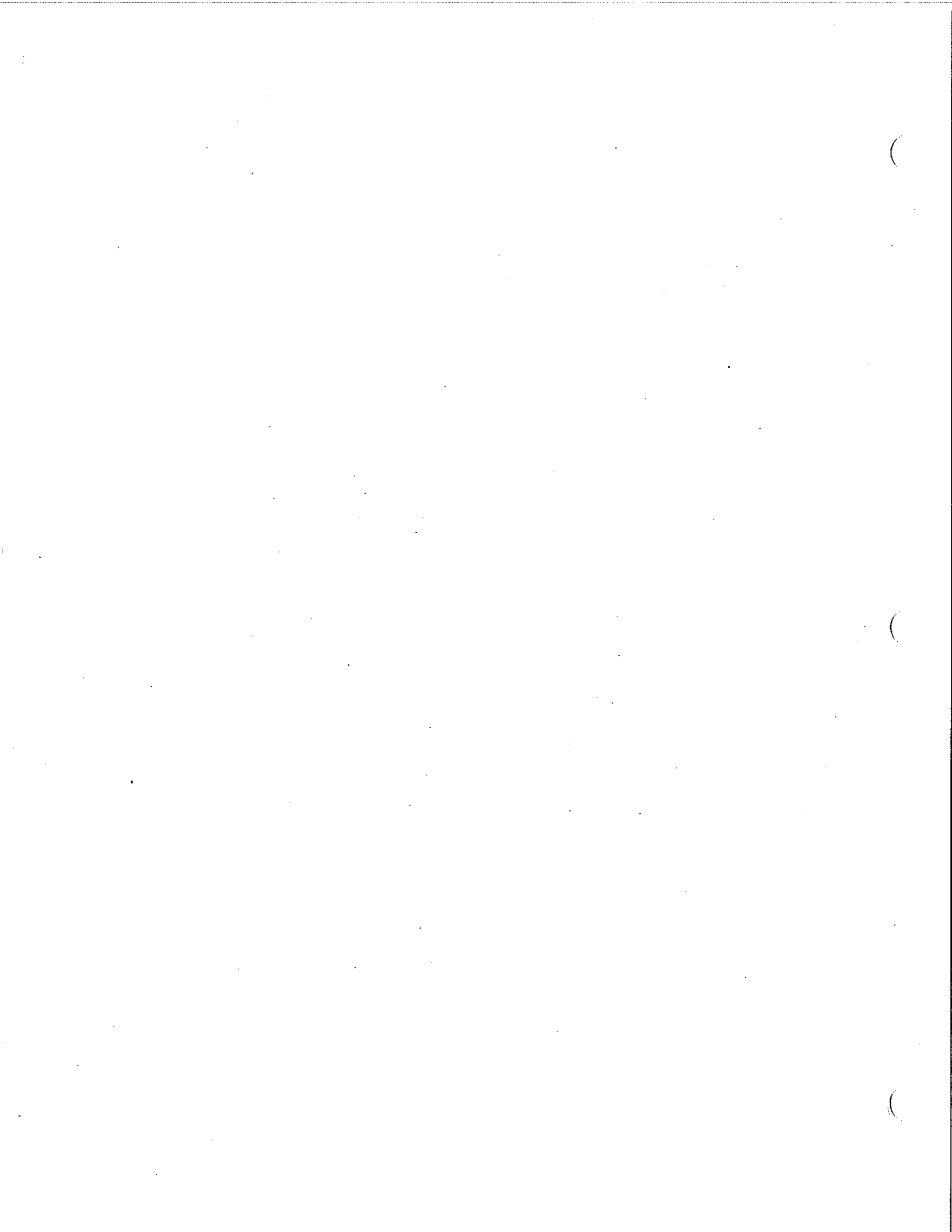
CUMBERLAND COUNTY BOARD OF CHOSEN FREEHOLDERS RESOLUTION (1989)-236

Approving Amendment #6 To The Cumberland  
County Solid Waste Management Plan

BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF CUMBERLAND, as follows:

Amendment No. 6 to the Cumberland County Solid Waste Management Plan bearing date May, 1989, and consisting of sixteen (16) pages plus cover and table of contents, a copy of which is on file with the Clerk of this Board, is hereby approved.

DATED: June 13, 1989





APPENDIX B

NJDEP CERTIFICATION OF PLAN AMENDMENT #6

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STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
CHRISTOPHER J. DAGGETT, COMMISSIONER  
CN 402  
TRENTON, N.J. 08625-0402  
(609) 292-2885  
Fax: (609) 984-3962

August 18, 1989

Honorable James Quinn  
Freeholder Director  
Cumberland County Board of Chosen Freeholders  
790 E. Commerce St.  
Bridgeton, New Jersey 08302

Dear Freeholder Director Quinn:

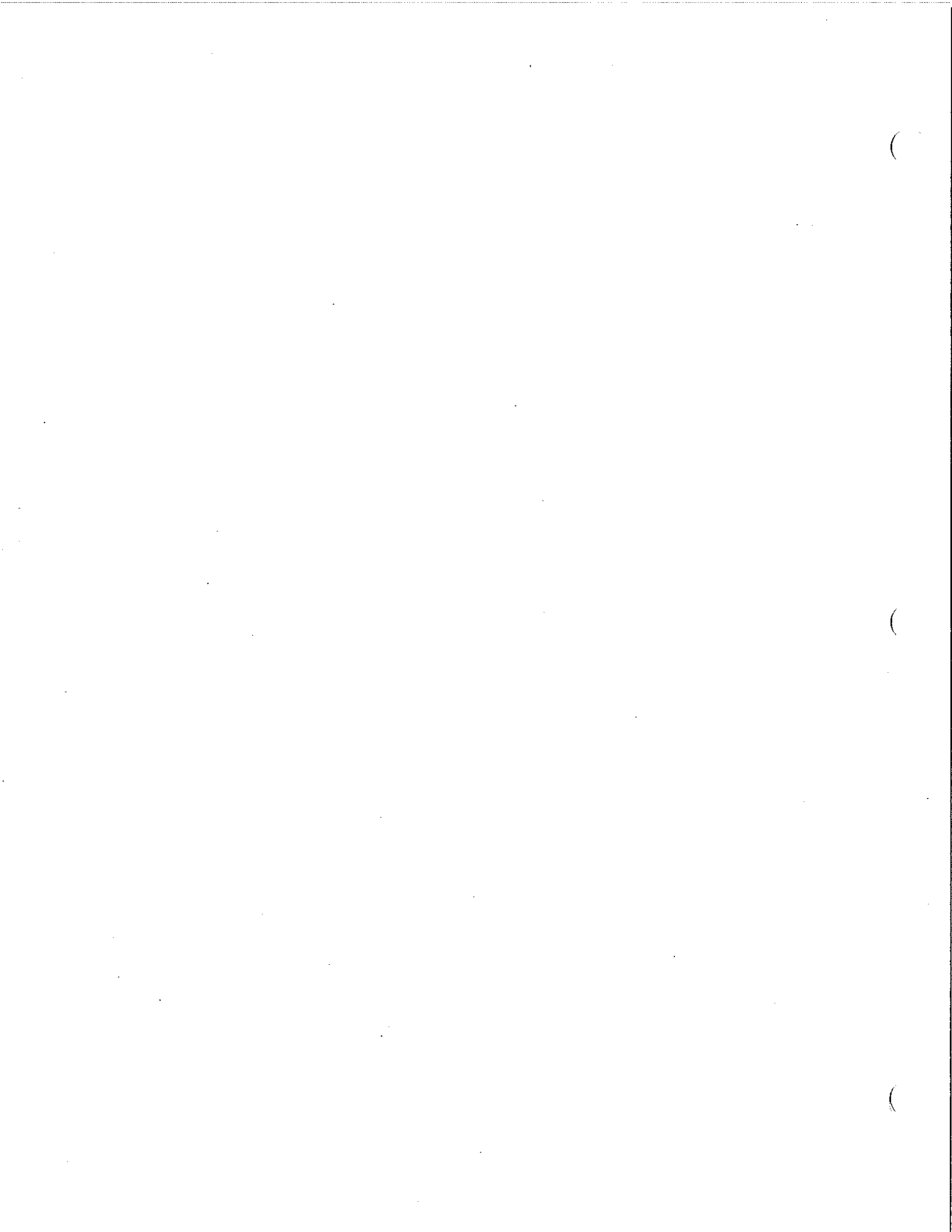
Enclosed is the certification of your solid waste plan amendment which the Freeholder Board adopted on June 13, 1989. The amendment incorporates the modifications to the Cumberland County district recycling plan, certified on March 14, 1988, into the approved district solid waste management plan, as per the New Jersey Statewide Mandatory Source Separation and Recycling Act, N.J.S.A. 13:1E-99.11 et seq.

The enclosed certification approves, as modified herein, the Cumberland County modifications to the district recycling plan, thereby directing Cumberland County to perform the following:

- Prepare and submit to the Office of Recycling, within six (6) months of the date of this certification, a report detailing the location of municipal depots or other collection systems put in place to satisfy the requirement to develop a strategy for the collection and disposition of designated recyclables in the commercial and institutional sectors that is consistent with N.J.S.A. 13:1E-99.13. The report shall include the hours of operation, materials accepted, required methods of preparation of recyclable materials, and any other requirements of, or restrictions on, deposition of recyclable materials at each depot.

- The district recycling plan is hereby amended to specify that future minor plan amendments shall be included in the plan upon recommendation by the Cumberland County Improvement Authority at a meeting for which public notice has been published at least once in a newspaper of general circulation no less than ten days prior to the meeting, and upon affirmative resolution of the Cumberland County Board of Chosen Freeholders.

- Prepare and submit to the Office of Recycling, no later than October 1, 1989, a report specifically detailing where each municipality will deliver its leaves. This report shall be included in the Recycling Plan as a subsequent plan amendment. The Cumberland County Board of Chosen Freeholders is required to conduct a public hearing within forty-five (45)





STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
CHRISTOPHER J. DAGGETT, COMMISSIONER  
CN 402  
TRENTON, N.J. 08625-0402  
(609) 292-2885  
Fax: (609) 984-3962

(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  
JUNE 13, 1989  
AMENDMENT TO THE  
CUMBERLAND COUNTY 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 Board 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 approved, with modifications, the Cumberland County District Solid Waste Management 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 the 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 the ten-year period; which sites may be in the district or, if none are available, in another district. (The Act provides procedures for reaching any necessary interdistrict agreements.)

Amendments to the Act found in N.J.S.A. 13:1E-1 et seq., specifically N.J.S.A. 13:1E-99.11 et seq., require that counties amend their district solid waste management plans to include a district recycling plan. The Cumberland County Board of Chosen Freeholders adopted the district recycling plan on October 15, 1987. The district recycling plan was approved with modifications by the Commissioner of the Department of Environmental Protection in his certification of March 14, 1988. The Cumberland County Board of Chosen Freeholders adopted an amendment to the approved district solid waste management

plan on June 13, 1989 which addressed the modifications required pursuant to the March 14, 1988 certification. The June 13, 1989 amendment was not distributed for state level review because the only state level review agencies which commented on the October 15, 1987 district recycling plan, necessitating the June 13, 1989 plan amendment, were the N.J. Department of Environmental Protection (NJDEP), Division of Environmental Quality, Bureau of Air Quality Planning and Evaluation; the Division of Solid Waste Management, Bureau of Solid Waste and Resource Recovery Planning, the Bureau of Resource Recovery, and the Office of Recycling. The June 13, 1989 plan amendment submitted to the Department has satisfied the comments made by those four agencies in the March 14, 1988 certification.

The amendment proposes to incorporate modifications to the district recycling plan into the approved district solid waste management plan as per the requirements of the New Jersey Statewide Mandatory Source Separation and Recycling Act, N.J.S.A. 13:1E-99.11 et seq. (herein referred to as the "Recycling Act").

The amendment was received by the Department of Environmental Protection on July 20, 1989. The Department has reviewed this amendment and has determined that the amendment adopted by the Cumberland County Board of Chosen Freeholders on June 13, 1989 is approved as modified herein, 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-24f and N.J.S.A. 13:1E-99.13, I, Christopher J. Daggett, Commissioner of the Department of Environmental Protection, have studied and reviewed the June 13, 1989 amendment to the Cumberland County District Solid Waste Management Plan according to the objectives, criteria, and standards developed in the Statewide Solid Waste Management Plan and N.J.S.A. 13:1E-99.11 et seq., and I find and conclude that this plan amendment is consistent as modified herein with these requirements.

1. In Section B, part 1, of the March 14, 1988 Certification of the October 15, 1987 amendment to the Cumberland County District Recycling Plan, the Office of Recycling directed the County to develop a strategy for the collection and disposition of designated recyclables in the commercial and institutional sectors that is consistent with N.J.S.A. 13:1E-99.13. While Section 2.4 of the June 13, 1989 plan amendment addresses this requirement to some extent, it does not go far enough toward ensuring that an adequate recycling strategy for the commercial and institutional sectors will be established. Therefore, the Office of Recycling requires that those businesses unable to contract directly with transporters or materials brokers for the disposition of recyclables, or those businesses unable to deliver materials to the County Material Separating Facility, shall be provided with a collection and disposition system by the municipality in which they are located. The collection and disposition system shall consist of, at a minimum, a municipal depot which will accept designated source separated recyclable materials from the commercial and institutional sectors in each municipality.

The County is hereby directed to submit to the Office of Recycling, within six (6) months of the date of this Certification, a report detailing the location of municipal depots or other collection systems put in place to satisfy this requirement, as well as the hours of operation, materials accepted, required methods of preparation of recyclable materials, and any other requirements for, or restrictions on, deposition of recyclable materials at each depot.

2. With reference to Section 6.0 of the June 13, 1989 plan amendment, the County is hereby directed to differentiate between major and minor plan amendments. The procedure for modifying the recycling plan outlined in Section 6.0 shall apply only to major plan amendments. The following procedure shall apply to minor plan amendments:

The minor plan amendment procedure shall be instituted when a municipality designates a new recycling coordinator, designates additional materials to be source separated in the residential, commercial or institutional sectors, revises collection methods and/or markets, or modifies its publicity campaign. Those plan modifications considered minor will be included in the plan upon recommendation by the Cumberland County Improvement Authority at a meeting for which public notice has been published at least once in a newspaper of general circulation no less than ten days prior to the meeting, and upon affirmative resolution of the Cumberland County Board of Chosen Freeholders.

3. In Section B, part 4 of the March 14, 1988 Certification of the October 15, 1987 plan amendment, the Office of Recycling directed the County to outline in greater detail the leaf composting facility capacity in the County. Appendix D (revised Table 10-1) of the June 13, 1989 plan amendment lists Cumberland County's existing and proposed leaf composting sites. Only three (3) of these sites have received DEP approval, and one (1) is pending approval. The DEP has not yet received an application for the remaining eight (8) sites. With reference to the composting operations proposed in Appendix D (revised Table 10-1), it should be noted that new rules established at N.J.A.C. 7:26-1.7 and 7:26-1.11 exempt leaf composting facilities from solid waste facility permitting if the owner or operator of the facility adheres to the requirements of the particular rule under which he/she proposes to operate. It should also be noted that, pursuant to new rule N.J.A.C. 7:26-1.12, leaf composting facilities that engage in leaf mulching operations on agricultural or horticultural lands are exempt from the Department's solid waste facility permitting process if the specific standards under the rule are met. Copies of N.J.A.C. 7:26-1.7, 1.11 and 1.12 are available through the Department's Division of Solid Waste Management, Bureau of Small Facility Review.

The County is hereby directed to prepare and submit to the Office of Recycling, by no later than October 1, 1989, a report specifically detailing where each municipality will deliver its leaves. In addition, this report must be incorporated into the Recycling Plan as a subsequent major plan amendment.

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

I, Christopher J. Daggett, Commissioner of the Department of Environmental Protection, in accordance with N.J.S.A. 13:1E-1 et seq. and N.J.S.A. 13:1E-21,

which established specific requirements regarding the contents of the district solid waste management plans, have reviewed the June 13, 1989 amendment to the approved Cumberland County District Solid Waste Management Plan and certify to the Cumberland County Board of Chosen Freeholders that the June 13, 1989 amendment is approved as modified in Section B. of this certification, except that there shall be a subsequent plan amendment identifying the vegetative waste or leaf composting or mulching facilities to be utilized by each municipality within the county. Cumberland County is hereby required to conduct a public hearing within forty-five (45) days of the date of this certification to address this deficiency, and to submit a plan amendment within thirty (30) days of the public hearing to the Department, as per N.J.S.A. 13:1E-24e(2), which remedies the outlined deficiency.

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 Cumberland County District Solid Waste Management 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 of Environmental Protection and operating pursuant to a contract as herein described, shall be deemed to be in violation of this amendment and of the Cumberland County District Solid Waste Management 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 of Environmental Protection, and for good cause shown, obtain an extension of time to complete such renegotiation.

2. Compliance

All solid waste facility operators and collector/haulers registered with the Department of Environmental Protection and operating within Cumberland County and affected by the amendment contained herein shall operate in compliance with this amendment and all other approved provisions of the Cumberland County District Solid Waste Management Plan. Any solid waste facility operator or collector/hauler 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 of Environmental Protection 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 Plans

The provisions of the Cumberland County District Solid Waste Management 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 and shall not apply to liquid wastes, sewage sludge, septage, and hazardous wastes. Also, all non-hazardous materials separated at the point of generation for recycling or reuse are excluded from the waste flows designated in the Interdistrict and Intradistrict Solid Waste Flow Rules (N.J.A.C. 7:26-6).

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

This document shall serve as the certification of the Commissioner of the Department of Environmental Protection to the Cumberland County Board of Chosen Freeholders and pursuant to N.J.S.A. 13:1E-24c. and f., the county shall proceed with the implementation of the approved amendment contained 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 N.J.A.C. 7:26-1.4 and N.J.A.C. 7:26-2.13 and N.J.S.A. 13:1E-99.12.

### 6. Effective Date of Amendment

The Amendment to the Cumberland County District Solid Waste Management 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 of Environmental Protection pursuant to its authority under the law. The Cumberland County District Solid Waste Management Plan, including any amendment made thereto, shall conform with the Statewide Solid Waste Management Plan. The Department has published a Statewide Solid Waste Management Plan with appendices which includes the Department's planning guidelines and rules, regulations, and orders of the Department, including the interdistrict and intradistrict waste flow rules, 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 with modification 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 June 13, 1989. I further direct the Cumberland County Board of Chosen Freeholders to conduct a public hearing within forty-five (45) days of the date of this certification to address the deficiency outlined in Section B of this

certification and to submit a plan amendment within thirty (30) days of the public hearing to the Department as per N.J.S.A. 13:1E-24e(2), which remedies the outlined deficiency.

8/18/89  
DATE

  
CHRISTOPHER J. DAGGETT  
COMMISSIONER

NJDEP CERTIFICATION OF PLAN AMENDMENT #6

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Let's protect our earth



STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF THE COMMISSIONER  
CN 402  
TRENTON, N.J. 08625-0402  
(609) 292-2885  
Fax # (609) 984-3962

(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 JUNE 13, 1989  
AMENDMENT TO THE CUMBERLAND COUNTY DISTRICT  
SOLID WASTE MANAGEMENT PLAN

BY ORDER OF THE COMMISSIONER:

RECEIVED JAN 29 1990

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 approved, with modifications, the Cumberland County District Solid Waste Management 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 the 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 the ten-year period, which sites may be in the district or, if none are available, in another district. (The Act provides procedures for reaching any necessary interdistrict agreements.)

The Act further provides that a district may review its plan at any time and, if found inadequate, a new plan must be adopted. The Cumberland County Board of Chosen Freeholders completed such a review and on June 13, 1989, adopted amendment #6 to its approved district solid waste management plan.

The portion of plan amendment #6 addressed herein responds to deficiencies in amendment #5 which was previously certified by the N.J.D.E.P. on March 11, 1988. Specifically, the amendment addresses the Resource Recovery Investment Tax Fund Uses and Disbursement Schedule, within which the county's proposed Material Separating Facility was sited; the policy providing for a public notice procedure for Municipal Convenience/Recycling Centers; and the solid waste contingency plan. The other portion of amendment #6, as adopted, was addressed in a previous certification of

August 18, 1989 and related to the modification of the district recycling plan as required by the Department's Certification of March 14, 1988.

The amendment was received by the Department of Environmental Protection on June 30, 1989, and copies were distributed to various state level agencies for review and comment, as required by law. The Department has reviewed this amendment, as well as the entire Cumberland County District Solid Waste Management Plan, and has determined that the amendment adopted by the Cumberland County Board of Chosen Freeholders on June 13, 1989, is approved in part and rejected in part as provided in N.J.S.A. 13:1E-24. With regard to the district plan, while the requirements of the Act concerning the report have been met, the district's plan remains deficient in an important way.

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, Christopher J. Daggett, Commissioner of the Department of Environmental Protection have studied and reviewed the June 13, 1989, amendment to the Cumberland County District Solid Waste Management Plan according to the objectives, criteria, and standards developed in the Statewide Solid Waste Management Plan and I find and conclude that the approved portion of this plan amendment is consistent with the Statewide Solid Waste Management Plan.

In addition, the Division of Solid Waste Management circulated the plan amendment to fifteen review agencies and solicited their review and recommendations. Pursuant to N.J.S.A. 13:1E-24a(2) and (3), these agencies included various agencies, bureaus, and divisions within the Department of Environmental Protection as well as the Board of Public Utilities. Also among these agencies were the Department of Community Affairs, the Department of the Public Advocate, the Department of Health, the Department of Agriculture, the Department of Transportation, and the New Jersey Turnpike Authority. Of these agencies, the following did not object to the proposed plan amendment: the N.J.D.E.P. Divisions of Fish, Game and Wildlife and Parks and Forestry; the State Departments of Agriculture and Transportation, the Board of Public Utilities, and the New Jersey Advisory Council on Solid Waste Management. The following agencies failed to respond to our requests for comments: the N.J.D.E.P. Divisions of Water Resources and Coastal Resources; the State Departments of Health, Community Affairs and the Public Advocate; the Green Acres Program, the Pinelands Commission, and the U.S. Environmental Protection Agency. The N.J.D.E.P. Divisions of Environmental Quality and Solid Waste Management submitted substantive comments which are further addressed below.

The Division of Solid Waste Management commented that with regard to the Resource Recovery Investment Tax Fund, the conditions set forth in the March 11, 1988 certification of the Cumberland County Solid Waste Management Plan concerning the uses of the Resource Recovery Investment Tax Fund have only been partially fulfilled via this plan amendment. With regard to the Material Separating Facility (MSF), the plan amendment does identify the location of the MSF as being in Deerfield Township, Cumberland County, Lots 34, 35, 36, and 37, Block 42 on the site of the Cumberland County Solid Waste Complex. In addition, the plan amendment identifies the vendor for

design, construction and operation of the MSF as New England Cr, Inc. of North Billerica, Massachusetts. However, with regard to the Cumberland County Resource Recovery Facility (RRF), the plan amendment states that this facility is presently in the early planning stages and a site has not been designated. Consequently, the use of Resource Recovery Investment Tax (RRIT) Funds for the MSF is approved but the use of RRIT Funds for the RRF remains rejected. Specifically, the plan is rejected until the county submits an approved plan amendment that selects a site for the RRF, and designates a resource recovery technology at that site as further identified in Section C. below. The plan amendment also proposed the use of RRIT Funds for the purchase of residential recycling containers and for the hiring of personnel to enforce the County Solid Waste Management Plan. The Division finds the use of RRIT funds to purchase residential recycling containers an acceptable use, but the use to hire personnel to enforce the district solid waste management plan is inconsistent and is therefore rejected. Eligible uses of the fund are provided in Attachment I, Part I.

Further, the Division of Solid Waste Management determined that the disbursement schedule outlined in the subject amendment is inadequate because its level of detail and clarity is not sufficient to enable the Department to conduct a meaningful review and discharge its statutory oversight responsibilities. Therefore, the Department has rejected the disbursement schedule as outlined in Section C. below. In order to evaluate the adequacy of financial disbursement procedures, the Department has established criteria (See Attachment I, Part II).

The Division of Solid Waste Management also commented with regard to municipal convenience/recycling centers, that commercial haulers should be prohibited from using the centers, their use should be limited to passenger type vehicles, and convenience/recycling centers must comply with the Division of Environmental Quality's noise codes. The Division of Solid Waste Management further commented that pursuant to N.J.S.A. 13:1E-99.34, "No recycling center shall receive, store, process or transfer any waste material other than source separated non-putrescible or source separated commingled non-putrescible metal, glass, paper, or plastic containers, and corrugated and other cardboard without the prior approval of the Department". N.J.S.A. 13:1E-99.12 defines designated recyclable materials as those including "metal, glass, paper or plastic containers, food waste, corrugated and other cardboard, newspaper, magazines, or high-grade office paper designated in a district recycling plan to be source separated in a municipality pursuant to Section 3 of this amendatory and supplementary Act". Should the county at any time wish to recycle any materials at the convenience/recycling centers, other than those designated recyclables listed above (e.g., construction/demolition debris, wood, etc.), prior Departmental approval will be required. In response, the Department concurs with DSWM's comments and Cumberland County is hereby notified of the requirements for the operation of the municipal convenience/recycling centers.

The Division of Environmental Quality commented that recycling centers are subject to the provisions of N.J.A.C. 7:27-5, "Prohibition of Air Pollution". This regulation prohibits odors and other air contaminants which interfere with the enjoyment of life or property. The DEQ also commented that recycling centers being solid waste facilities are subject to N.J.A.C. 7:27-8.2(a) which requires air pollution control permits for any equipment which vents a solid waste facility directly or indirectly into the outdoor atmosphere. Such vents may require devices to control odors and other air contaminants. Further, DEQ commented that combustion of used oil, and mixtures of used oil and other oil are subject to the provisions of N.J.A.C. 7:27-8.2(a)13 which require that the combustion of such oil only be done in controlled devices with air pollution control permits specific to the combustion of used waste oil. In response, the Department concurs with DEQ's comments and herein notifies Cumberland County of these requirements.

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

I, Christopher J. Daggett, Commissioner of the Department of Environmental Protection, in accordance with N.J.S.A. 13:1E-1 et seq. and N.J.S.A. 13:1E-21, which established specific requirements regarding the contents of the district solid waste management plans, have reviewed the June 13, 1989 amendment to the approved Cumberland County District Solid Waste Management Plan and certify to the Cumberland County Board of Chosen Freeholders that the June 13, 1989 amendment is approved in part and rejected in part as further specified below.

1. The Resource Recovery Investment Tax Fund Amendment is approved in part and rejected in part as follows:

The inclusion of the use of a portion of Block 42, Lots 34, 35, 36 and 37 for the Material Separating Facility site in Deerfield Township, which block and lots were previously included in the Cumberland County Solid Waste Management Plan on July 30, 1984, is approved.

The proposed uses outlined in the Cumberland County District Resource Recovery Investment Tax Fund section of the plan amendment are in conformance with the requirements of the N.J.S.A. 13:1E-150b(1) only as they limit disbursement from the district fund for the purchase of equipment for the Material Separation Facility (MSF); operating subsidies for the MSF until the point that the MSF revenues meet or exceed expenses; purchase of residential recycling containers; and up to an amount not to exceed two percent of the total money appropriated to the fund during the fiscal year for the purposes of administration of the fund. Proposed uses of the fund for the RRF are rejected. Specifically, the plan is rejected until such time as the county selects a resource recovery site, and designates a resource recovery technology at that site. The plan amendment's proposed use of the RRF Fund to hire personnel to enforce the district solid waste management plan is also rejected because it is inconsistent with N.J.S.A. 13:1E-150 et seq. The proposed uses of said fund are, therefore, approved with the exception of expenses to be incurred on the RRF and for the hiring of personnel to enforce the district solid waste management plan.



Further, the Department finds that the provisions of the plan amendment concerning the allocation of activities over time as they relate to the District Resource Recovery Investment Tax Fund do not meet adequate content and format criteria for provision of a disbursement schedule. Therefore, the disbursement schedule section of the plan amendment is rejected. The Cumberland County Board of Chosen Freeholders shall submit a revised disbursement schedule containing a line item budget for the approved uses herein. The submission of this schedule shall be accomplished with the adoption of another amendment to the approved Cumberland County District Solid Waste Management Plan in accordance with N.J.S.A. 13:1E-1 et seq. (particularly 13:1E-23).

Finally, in accordance with N.J.S.A. 13:1E-150, no disbursements from the Cumberland County District Resource Recovery Investment Tax Fund shall be made until and unless the Department approves a plan amendment(s) containing a revised disbursement schedule. The ultimate demonstration of overall rate reduction shall be the responsibility of the county.

2. The proposed policy and public notice procedure for inclusion of Municipal Convenience/Recycling Centers into the Cumberland County Solid Waste Management Plan is approved as follows:

MUNICIPAL CONVENIENCE/RECYCLING CENTERS  
POLICY AND PUBLIC NOTICE PROCEDURE

In general, the operating characteristics of the Convenience/Recycling Centers (See Attachment II for Approved Sites, Types of Containers and Operating Hours) are similar and meet the following pattern:

- a. Residents enter a fenced in area in their vehicle and show proof of residence in municipality;
- b. They approach the trash receiving receptacle (stationary compactor, compactor truck, open-top roll-off container) and deposit their solid waste as directed by the attending staff. Recyclables are deposited in the appropriate recycling container;
- c. They then leave through a second gate in most cases.

All centers are staffed when they are in operation and some have raised ramps adjacent to the trash receptacle or the operating staff provide assistance in depositing the solid waste in walk-in roll-offs.

All centers mitigate adverse impacts by being fenced in and by utilizing staff to collect any blowing trash. Also, the trash containers are removed and taken to the county landfill within two days to mitigate any air emissions.

The recyclables will be removed as the collecting container is filled and delivered to the County Material Separating Facility at the Cumberland County Solid Waste Complex by either municipal employees or privately contracted haulers.

Policy Statement. The policy of the Cumberland County Solid Waste Management District states that any application for a Municipal Convenience/Recycling Center is consistent with the approved Cumberland County District Solid Waste Management Plan and no further plan modification is required to include the facility or site, provided that:

- a. The operating and design conditions in Amendment #5 are met to the satisfaction of the Cumberland County Improvement Authority, the Cumberland County Health Department and the New Jersey Department of Environmental Protection.
- b. If the proposed site of the operation is located within the Pinelands area, the Pinelands Commission is first notified in writing of the proposed use.
- c. The host municipality notifies the Cumberland County Improvement Authority in writing of the proposed use including any applicable engineering designs, reports, maps, etc., which are pertinent.
- d. The municipality publish two (2) notices of the proposed use, one each week for two (2) consecutive weeks, in a newspaper of general circulation within the host municipality. A notice shall set forth.
  - 1) The nature of project;
  - 2) The block and lot number of the site location;
  - 3) The generally recognized address of site;
  - 4) The location of the depositories (which in all cases, shall be the municipal building and the Office of Solid Waste Management District) for inspection of the complete application and supporting documents; and
  - 5) A statement that written comments on the proposed application will be accepted by the Office of the Solid Waste Management District for a period of 30 days from the date of the first notice.

- e. No objections to the site location are raised by the host municipality, the solid waste management district, the Pinelands Commission, if applicable, or any other person, provided further, however, that if any such objection be raised, the proposed site and facility must be subject to the formal plan amendment process pursuant to N.J.S.A. 13:1E-23 and 24 including notice, public hearing, Freeholder Board approval, and subsequent DEP approval.
- f. An applicant that has satisfied the procedural requirements (newspaper notice, etc.) outlined in Items a. to d. above and there are no objections raised, may then submit a completed application to the Department for review accompanied by a letter and all accompanying procedural documentation from the County stating the proposed facility's consistency with the District Plan. If a proposed application raises objections, the County must amend its Plan to formally consider inclusion of the facility. Upon amendment of the Plan, the applicant shall then submit the application to the Department for review.

Finally, the construction and operation of the Municipal Convenience/Recycling Centers shall be preceded by obtaining all necessary approvals and permits required at N.J.S.A. 13:1E-1 et seq., and all other applicable laws. Although the Division of Solid Waste Management does not permit convenience/recycling (drop-off) centers at this time, other state, county or local agencies may regulate this activity. Also, in the future, convenience/recycling centers will be required to comply with any new regulations pertaining to these types of activities.

### 3. Solid Waste Disposal Contingency Plan:

The Department supports and approves of Cumberland County's commitment to develop a solid waste contingency plan as explained in Section 3.3 of the June 13, 1989 plan amendment. However, since no plan has yet been fully developed and submitted to the Department in the form of a properly adopted plan amendment, this continues to be a deficiency in the district solid waste management plan as further specified below.

Finally, the Department has reviewed the entire Cumberland County District Solid Waste Management Plan, including this amendment, to determine whether the plan fulfills the requirements set forth in N.J.S.A. 13:1E-21. The result of that review is as follows:

N.J.S.A. 13:1E-21b(2) requires a statement of the solid waste disposal strategy to be applied . . . which strategy shall include the maximum practicable use of resource recovery procedures . . . in the Solid Waste Management District.

In accordance to Section B(2) of the Certification of the July 14, 1983 Amendment to the Cumberland County Solid Waste Management Plan, the County was required to evaluate the feasibility of utilizing high technology resource recovery. Further, Section C(4) of the Certification of the October 15, 1987 Amendment to the Cumberland County Solid Waste Management Plan required the County to develop the steps and contingency plan implementation schedule to facilitate an immediate response in the event of an emergency consistent with Item #7 of the Commissioner's February 23, 1987 guidance notice. Since the County has not yet complied with either of these requirements, the Cumberland County plan remains deficient with respect to the requirements of the N.J.S.A. 13:1E-21b(2).

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 the within amendment to the Cumberland County District Solid Waste Management 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 of Environmental Protection and operating pursuant to a contract as herein described, shall be deemed to be in violation of this amendment and of the Cumberland County District Solid Waste Management 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 of Environmental Protection, and for good cause shown, obtain an extension of time to complete such renegotiation.

2. Compliance

All solid waste facility operators and collector/haulers registered with the Department of Environmental Protection and operating within Cumberland County and affected by the amendment contained herein shall operate in compliance with this amendment and all other approved provisions of the Cumberland County District Solid Waste Management Plan. Any facility operator or collector/hauler 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 of Environmental Protection 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 Plans

The provisions of the Cumberland County District Solid Waste Management 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 and shall not apply to liquid wastes, sewage sludge, septage, and hazardous wastes. Also, all non-hazardous materials separated at the point of generation for sale or reuse are excluded from the waste flows designated in the Interdistrict and Intradistrict Solid Waste Flow Rules (N.J.A.C. 7:26-6).

4. Certification to Proceed with the Implementation of Plan Amendment

This document shall serve as the certification of the Commissioner of the Department of Environmental Protection to the Cumberland County Board of Chosen Freeholders and pursuant to N.J.S.A. 13:1E-24c and f, the county shall proceed with the implementation of the approved portions of the amendment contained 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 N.J.A.C. 7:26-1.4 and -2.13.

6. Effective Date of Amendment

The approved portions of the amendment to the Cumberland County District Solid Waste Management Plan contained herein shall take effect immediately.

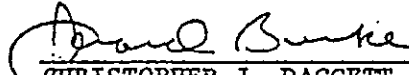
7. Reservation of Authority

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

E. Certification of Approval in Part and Rejection in Part of the Amendment and Notification of Deficiency 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 in part and reject in part 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 June 13, 1989. I further direct the Cumberland County freeholders to remedy the deficiency outlined in Section C. of this certification as soon as possible.

11/27/89  
DATE

  
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CHRISTOPHER J. DAGGETT  
for COMMISSIONER  
DEPARTMENT OF ENVIRONMENTAL PROTECTION