

Let's protect our earth



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
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(IN THE MATTER OF CERTAIN AMENDMENTS)
(TO THE ADOPTED AND APPROVED SOLID)
(WASTE MANAGEMENT PLAN OF THE)
(ATLANTIC COUNTY SOLID WASTE)
(MANAGEMENT DISTRICT)

CERTIFICATION OF THE OCTOBER 24, 1989,
NOVEMBER 14, 1989, AND
DECEMBER 19, 1989 AMENDMENTS TO THE
ATLANTIC 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 June 24, 1982, the Department of Environmental Protection (the "Department") approved, with modifications, the Atlantic 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 Atlantic County Board of Chosen Freeholders completed such a review and on October 24, 1989, November 14, 1989, and December 19, 1989 adopted amendments to its approved district solid waste management plan. The November 14, 1989 amendment includes in the district plan the Atlantic County limited use landfill, while the October 24, 1989 amendment includes in the district plan the R & T Castellini Recycling Center in the City of Pleasantville; the Leaf and Woodchip Composting Facility at the Galloway Township-Oak Avenue Landfill, and the A.E. Stone, Inc., Recycling Center in the City of Pleasantville. The December 19, 1989 amendment redirects waste to the planned Atlantic County Transfer/Baling Facility in Egg Harbor Township from existing district landfills.

The October 24, 1989 and November 14, 1989 amendments were received by the Department on December 1, 1989; while the December 19, 1989 amendment was received by the Department on January 10, 1990. Copies of all amendments were distributed to various state level agencies for review and comment, as required by law. The Department has reviewed these amendments, as well as the entire Atlantic County District Solid Waste Management Plan, and has determined that the amendments adopted by the Atlantic County Board of Chosen Freeholders on October 24, 1989, November 14, 1989, and December 19, 1989 are approved with minor modification as provided in N.J.S.A. 13:1E-24.

B. Findings and Conclusions with Respect to the Atlantic County District Solid Waste Management Plan Amendments

Pursuant to N.J.S.A. 13:1E-24a(1), I, Judith A. Yaskin, Commissioner of the Department of Environmental Protection have studied and reviewed the October 24, 1989, November 14, 1989, and December 19, 1989 amendments to the Atlantic 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 these plan amendments are consistent with the Statewide Solid Waste Management Plan.

1. October 24, 1989 and November 14, 1989 Amendments

The Division of Solid Waste Management circulated the plan amendment to seventeen 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, the Federal Aviation Administration and the United States Department of Agriculture. Of these agencies, the following did not object to the proposed plan amendment: the N.J.D.E.P. Division of Water Resources, the Pinelands Commission, the State Departments of Agriculture and Community Affairs, 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 Fish, Game and Wildlife, Parks and Forestry and Coastal Resources; the State Departments of Health, Transportation and the

Public Advocate; and the U.S. Environmental Protection Agency. The N.J.D.E.P. Divisions of Environmental Quality and Solid Waste Management as well as the Board of Public Utilities, the Federal Aviation Administration and the United States Department of Agriculture submitted substantive comments which are further addressed below.

The Division of Environmental Quality (DEQ) commented that recycling centers are subject to the provisions of N.J.A.C. 7:27-5. This regulation prohibits odors and other air contaminants which interfere with the enjoyment of life and property. Further, recycling centers are considered solid waste facilities, which are subject to N.J.A.C. 7:27-8.2(a)16 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. Also, the combustion of used oil, and mixtures of used oil are subject to the provisions of N.J.A.C. 7:27-8.2(a)13 which requires the combustion of such oil only be done in controlled devices with air pollution control permits specific to the combustion of used waste oil. Finally, the recycling of asphalt may release organic substances to the air. The recycling equipment and any bituminous concrete plant which uses the recycled asphalt may need air pollution apparatus to control organic substance emissions. Air pollution control permits for existing bituminous concrete plants would have to be revised to include recycling asphalt.

In addition, the DEQ also commented that composting facilities are also subject to the provisions of N.J.A.C. 7:27-5 which prohibits odors and emissions of other air contaminants which interfere with the enjoyment of life or property. Additionally, air pollution control permits are required for equipment used to vent a solid waste facility to the ambient atmosphere (N.J.A.C. 7:27-8.2(a)16), and for stationary conveying equipment which causes fugitive emissions of air contaminants pursuant to the provisions of N.J.A.C. 7:27-8.2(a)11.

Furthermore, the DEQ commented that landfill facilities are subject to the same provisions as recycling facilities in N.J.A.C. 7:27-5. Also, new and closed landfills should be equipped with positive ventilation systems which direct landfill gases to air pollution control devices. These vents and devices require air pollution control permits pursuant to N.J.A.C. 7:27-8.2(a) 1 and 16. These regulations require permits for all stationary equipment used to ventilate a solid waste facility directly or indirectly to the ambient atmosphere.

Finally, the DEQ commented with respect to crushers that such apparatus will necessitate the control of particulate emissions to the air. Pursuant to N.J.A.C. 7:27-8.2(a)7, 11, 15, and 16, air pollution control permits to construct, install or alter control apparatus or equipment are required. Crushers must also comply with the noise control code, N.J.A.C. 7:29.1. In response, by copy of this certification, the county is notified of these requirements of the DEQ.

The Board of Public Utilities commented regarding their concern over who would own and operate the proposed ash/limited use landfill. In response, this issue has not yet been determined by Atlantic County. When this issue is resolved by Atlantic County, the county should notify the Board of Public Utilities in writing.

The Federal Aviation Administration (F.A.A.) comments were extensive regarding both the landfill siting itself and its interaction with previously sited solid waste facilities at the Doughty Road site. Specifically, the F.A.A. was concerned with the validity and reliability of the document prepared by the Atlantic County Utilities Authority (A.C.U.A.) entitled "Summary of Analysis of Bird Attraction Potential of Type 13, 23 and 27 Waste Landfills and Supplemental Operations Plan for the Proposed Non-Putrescible Type 13 and 27 Waste Landfill" (S.B.A.P./S.O.P.), which was distributed concurrently with the plan amendment. Also, they indicated similar concern regarding the Operations and Maintenance Manual from the Environmental and Health Impact Statement for the Ash/Interim/Bypass Landfill. While this certification is only concerned with the limited use landfill, many of the F.A.A.'s comments are applicable to this general siting issue and merit discussion below.

On December 12, 1989, the F.A.A. submitted comments to the Department on the Operations and Maintenance Manual which stated that the A.C.U.A. should establish a base-line bird population inventory on-site prior to the landfill construction. This study should include the species and their numbers on-site. Base line counts should also occur on adjacent commercially developed properties and at Atlantic City International Airport. Counts were to be conducted morning, noon, afternoon, and night on two successive days each week for a year. The F.A.A.'s position is that this proposal is unsatisfactory as a bird impact assessment method for several reasons. First, the F.A.A. states that no scientific methodology has been used in the design of this study (e.g., setting purposes, designing methodology and analytical techniques to answer objectives). Further, without any establishment of pre-project conditions for at least one year, any study method will fail because no pre-project standard to measure bird numbers has been established. Unfortunately, with emergency approval to construct and operate the transfer station, the F.A.A. states that pre-project conditions can never be suitably established and the effect of changes in bird populations at the airport and the landfill site can only be based on subjective terms which will disallow operational changes or closures. Finally, the F.A.A. states that any further Departmental approvals for the Atlantic County Utilities Authority's proposed surveys will increase the probability of errors and the likelihood that real changes cannot and will not be precisely measured.

With respect to the operation of a limited use landfill, the F.A.A. commented that if birds are rewarded even infrequently with a construction worker's lunch, insects, or edible vegetative materials from ID 13 or 27 wastes, their attraction to the landfill is positively reinforced and bird numbers over the landfill would increase.

Further, the A.C.U.A.'s new study of bird attraction (S.B.A.P./S.O.P.) to bulky and dry industrial waste landfills fails to resolve F.A.A. concerns. Comparisons drawn with other landfills, which have different environmental and airport settings and conditions, do not establish bird attractions likely to be extant at the proposed Doughty Road Landfill. Since type 10 wastes will be allowed through transfer station baling, or holding facilities at the proposed site, its bird attraction potential versus facilities not accepting or permitted for Type 10 wastes is considered substantially greater. Further, bird attraction potential to the Doughty Road site will be substantially greater than the other landfills addressed in S.B.A.P./S.O.P. because Type 10 putrescible wastes are still proposed to be handled on-site at the transfer station, baling facility, or other holding facilities for the proposed incinerator. It is also observed that the A.C.U.A. landfill designs still include the putrescible wastes for disposal in the landfill. The F.A.A. believes this clearly eliminates the possibility of any form of equitable comparison between S.B.A.P./S.O.P. landfills and A.C.U.A.'s proposed landfill. Also, A.C.U.A.'s qualifications and expertise to conduct a scientifically valid study is questioned by the F.A.A., since none of the professionals involved appear to be professional biologists. Observations and conclusions drawn on bird attraction potentials and behaviors at landfills by other than professional biologists would appear to the F.A.A. to be indefinite and inconclusive. The lack of bird species identification at many sites, according to the F.A.A., supports this point. The F.A.A. also believes that scientific methodology is absent in the study in several areas. The F.A.A. states that verbal interviews with landfill operators can hardly be expected to provide valid answers to bird attraction potential, and it is questioned if there would be any admission of existing bird problems, especially for those with airports in the vicinity. Finally, the F.A.A. states that the duration of the S.B.A.P./S.O.P. study consisting of 30-60 minute observations over five days is not suitable as a basis for definitive analysis, and is not relatable to seasonal bird variations. As similar concerns were raised by other agencies, the Department's response is found at the end of this section.

The U.S. Department of Agriculture (U.S.D.A.), Animal Damage Control, commented that they are opposed to the development of any type landfill at Doughty Road. This opposition is based on experience with an ash landfill at Albany, NY, which attracted gulls. Construction and demolition sites near Syracuse, NY, and at Fountain Avenue Landfill, Jamaica, NY, also caused problems at airports by attracting birds. Reportedly, gulls seem to recognize disposal sites as potential sources of food and occasionally may find edible materials mixed in with the non-edible materials being dumped, which encourages the birds to seek food at active disposal sites of any type. Further, this agency found little merit in the S.B.A.P./S.O.P. study. Specifically, U.S.D.A. commented that this analysis relied heavily on a phone survey, which did not specify the type of questions asked, contents of the questions and/or the number of questions asked by the interviewer. Therefore, the agency recommends that this landfill not be approved for development. The Department's response is found below.

The Division of Solid Waste Management (DSWM) reviewed the amendments and made numerous comments. On November 14, 1989, the Atlantic County Board of Chosen Freeholders adopted an amendment to their district plan which included a limited use landfill at the Doughty Road site. They also submitted the Analysis of Bird Attraction Potential Study (S.B.A.P./S.O.P.) for the DSWM's review in conjunction with the plan amendment. The DSWM was concerned that the observations made were on too limited a basis to draw any conclusions regarding bird behavior at any of the sites visited let alone interpolate what would happen at the Doughty Road site once a landfill was present. Therefore, the DSWM believes that further comprehensive documentation is necessary to determine if there is a potential bird problem at this site and the Atlantic City International Airport. This documentation should include more extensive research of similar sites of similar intensity performed by one who is trained to collect and interpret such data.

Furthermore, the DSWM commented that while bulky waste materials are not designated recyclables for Atlantic County, the DSWM strongly recommends that alternatives to landfilling of these materials be explored. Tires, appliances, wood waste (including trees), and construction and demolition debris are all potentially recyclable materials. In order to determine the amount of bulky waste material in the solid waste stream, and the feasibility of recycling such material, the DSWM advises Atlantic County to investigate markets for this material, to conduct a waste composition analysis, and to submit said analysis to the Division for review. There are a number of companies in the Atlantic County area which have received or are now seeking approval from the Department to operate recycling centers to process bulky waste materials, including the A.E. Stone and R & T Castellini facilities, which are approved for inclusion within the Atlantic County district plan in Section C. of this certification.

Finally, regarding other aspects of these plan amendments, the DSWM commented that the county ordinance including the composting facility at the Galloway Township - Oak Avenue Landfill indicates lot and block numbers that do not correspond with lot and block numbers listed on the design drawings. This issue should be clarified during the Department's permit process. Further, the lot and block numbers indicated in the ordinance represent a large tract of land. The exact location of composting activities should be more specifically indicated. Composting will not be permitted on the portion of the lot which contains landfilled material, until and unless the landfill is properly closed and it is demonstrated that composting is a compatible use on the closed landfill portion of the specified lot and block. The Division notes that an incorrect lot and block were contained in the ordinance, but not on the design drawing. The lot and block numbers were transposed. The correct lot and block are: Lot 17, Block 1171. In response, by copy of this certification, Atlantic County is notified of the Division of Solid Waste Management's comments.

The Department concurs with the above mentioned Federal and State agencies that a bird problem currently exists at the Doughty Road site. Also, the Department concurs that these bird hazard issues require further study than what was submitted by the A.C.U.A. in the Analysis of Bird Attraction Potential Study. In fact, in the September 5, 1989 certification of the

July 25, 1989 modification to the December 13, 1988 amendment to the Atlantic County District Solid Waste Management Plan, the Department specifically stated that sufficient documentation would have to be submitted with an amendment for a limited use landfill. The A.C.U.A. has not submitted sufficient documentation which was required. However, the solid waste facility review process is a phased process and at this juncture the Department is approving the theoretical appropriateness of this site. While the Department acknowledges receipt of the April 1990 Support Document for the proposed limited use landfill, this document is not considered a part of this amendment as it was submitted at such a late date. Therefore, the A.C.U.A. must address all these concerns to the satisfaction of the Department at the technical review phase.

2. December 19, 1989 Amendment

The Division of Solid Waste Management (DSWM) 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 Coastal Resources, Water Resources and Fish, Game and Wildlife and the State Departments of Transportation, Agriculture and Community Affairs. The following agencies failed to respond to our requests for comments: the N.J.D.E.P. Division of Parks and Forestry, the State Departments of Health and the Public Advocate; the Green Acres Program, the N.J. Advisory Council on Solid Waste Management and the U.S. Environmental Protection Agency. The N.J.D.E.P. Divisions of Solid Waste Management and Environmental Quality, the Board of Public Utilities and the Pinelands Commission submitted substantive comments which are further addressed below.

The Division of Environmental Quality commented that transfer stations are subject to the provisions to N.J.A.C. 7:27-5, which prohibits odors and other air contaminants which interfere with the enjoyment of life and property. Transfer stations are also subject to N.J.A.C. 7:27-8.2(a)16, which requires air pollution control permits for any equipment which vents a solid waste facility directly or indirectly into the outdoor atmosphere. In response, the county is notified of these requirements.

The Board of Public Utilities commented that the plan to dispose of waste out-of-county via a transfer station does not reflect any consideration of the effect the proposal will have on the taxpayers/ratepayers of Atlantic County. In response, Atlantic County has not submitted data necessary to address this issue. Therefore, the data should be submitted in writing by the A.C.U.A. to the Board of Public Utilities.

The Pinelands Commission commented that the ordinance indicates that all waste flow generated from Bass River Township and Washington Township, both in Burlington County, will no longer be accepted for disposal in Atlantic County upon closure of Pinelands Park Landfill, and there is no indication of where the waste from these municipalities will be directed. While it is not Atlantic County's responsibility to plan for management of waste for these Burlington County municipalities, no revised plan for Burlington County has been presented indicating how and where Bass River and Washington Township waste will be disposed. The Pinelands Commission states that the establishment of an acceptable disposal option for these municipalities should be a high priority for Burlington County and the Department. In response, on October 15, 1984, the Department and the Board of Public Utilities adopted a waste flow rule change redirecting waste from Bass River and Washington Townships, as well as other Burlington County municipalities, to the Burlington County Landfill in Florence and Mansfield Townships upon commencement of operations at that facility. That facility commenced operation in February 1989. Therefore, in accordance with duly adopted waste flow rules, Bass River and Washington Townships began disposing of their waste in the Burlington County landfill in February of 1989.

The Division of Solid Waste Management commented that the county did not identify truck routes to the planned transfer/baling facility. In response, the county is hereby notified that this deficiency should be addressed by the county in a subsequent plan amendment submission to the Department.

C. Certification of Atlantic County District Solid Waste Management Plan Amendments

I, Judith A. Yaskin, 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 October 24, 1989, November 14, 1989, and December 19, 1989 amendments to the approved Atlantic County District Solid Waste Management Plan and certify to the Atlantic County Board of Chosen Freeholders that these amendments are approved with minor modification as further specified below. Please note that the construction and operation of such facilities shall be preceded by the acquisition of all necessary permits and approvals as per N.J.S.A. 13:1E-1 et seq., and all other applicable laws. Issuance of operating permits pursuant to the Solid Waste Management Act is limited to those applicants found by the Department and the Attorney General to be deserving of licensing under the provisions of N.J.S.A. 13:1E-126 et seq.

1. October 24, 1989 and November 14, 1989 Amendments

- a. The district plan inclusion of the site for the limited use landfill (Waste Types 13 and 27) located at Block 17A, Lots 8, 9, 11 and 12; Block 18A, Lots 1, 2, 3, 4, 5, and 6; Block 19A,

Lots 1 and 2; Block 20A, Lots 1 and 2; Block 21A, Lots 1, 2, 3, 4 and 5; Block 398A, Lots 1 and 2 on the Tax Map of Egg Harbor Township is approved. It should be noted, however, that the bird attraction study performed by Atlantic County did not conclusively prove that a combination of waste disposal activities at the proposed site will not exacerbate existing bird problems. Therefore, this issue must be resolved during the technical phase of the Department's permit process.

- b. The district plan inclusion of the site for A.E. Stone, Inc., recycling facility for construction waste, located at Block 109, Lot 19, in the City of Pleasantville, is approved.
- c. The district plan inclusion of the site for the R & T Castellini recycling facility for asphalt and concrete located at Block 90, Lots 2 and 42, in the City of Pleasantville, is approved.
- d. While ordinance 44 of the Atlantic County Solid Waste Management Plan incorrectly located the proposed compost facility, the design drawings do accurately reflect the location and all other wordage describes the intent of the freeholders to locate the facility at the Galloway-Oak Avenue Landfill. Therefore, the district plan inclusion of the site for the Galloway Township - Oak Avenue Landfill leaf and woodchip compost facility located at Block 1171, Lot 17, in Galloway Township, is approved with minor modification providing the appropriate block and lot.

2. The December 19, 1989 Amendment

The district plan inclusion of the following modification to the solid waste flows for the Atlantic County Solid Waste Management District is approved. All Waste Types 10, 13, 23, 25 and 27, except source separated recyclable wastes, generated within all municipalities located within Atlantic County, with the exception of Galloway Township, shall be directed to the Atlantic County Utilities Authority Transfer Station, facility #0108M, located at the Atlantic County Environmental Park in Egg Harbor Township, Block 397A, Lot 1, upon the closure of each landfill currently serving these municipalities as they reach full capacity, or as of August 8, 1990, whichever occurs sooner. Upon the closure of Galloway Township Municipal Landfill, all Waste Types 10, 13, 23, 25 and 27 generated within Galloway Township shall be directed to the Atlantic County Utilities Authority Transfer Station, facility #0108M,

located at Block 397A, Lot 1, in Egg Harbor Township. Final disposition of this change to the Interdistrict and Intradistrict Solid Waste Flow Rules will be determined pursuant to formal rulemaking by the Department and the Board of Public Utilities in accordance with N.J.A.C. 7:26-6.6. Furthermore, the county is advised that the above waste redirection cannot be implemented until the Department and the Board either amend the waste flow rules or issue an emergency redirection order.

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 amendments to the Atlantic County District Solid Waste Management Plan and which was executed prior to the approval of these amendments 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 these amendments and of the Atlantic County District Solid Waste Management Plan if such renegotiation is not completed within ninety (90) days of the effective date of these amendments; 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 Atlantic County and affected by the amendments contained herein shall operate in compliance with these amendments and all other approved provisions of the Atlantic 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 Plan

The provisions of the Atlantic 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 Amendments

This document shall serve as the certification of the Commissioner of the Department of Environmental Protection to the Atlantic 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 amendments contained herein.

5. Definitions

For the purpose of these amendments 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 Amendments

The amendments to the Atlantic 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 Atlantic 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 and Minor Modification of the Amendments 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 and make a minor modification to the amendments as outlined in Section C. of this certification to the Atlantic County District Solid Waste Management Plan which were adopted by the Atlantic County Board of Chosen Freeholders on October 24, 1989, November 14, 1989, and December 19, 1989.

4/30/90
DATE


JUDITH A. YASKIN
COMMISSIONER

DEPARTMENT OF ENVIRONMENTAL PROTECTION