



STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF THE COMMISSIONER  
P. O. BOX 1390  
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609-292-2885

(IN THE MATTER OF THE PROPOSED)  
(SOLID WASTE MANAGEMENT PLAN )  
(OF THE BERGEN COUNTY SOLID )  
(WASTE MANAGEMENT DISTRICT )

CERTIFICATION  
OF  
MODIFICATION

BY ORDER OF THE COMMISSIONER:

On March 19, 1980, the Bergen County Board of Chosen Freeholders adopted the Bergen County Solid Waste Management Plan pursuant to the Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.).

The Department of Environmental Protection has studied and reviewed the Plan in accordance with this Legislation. The review process, established by the Solid Waste Administration in an April, 1979 Policy Memorandum entitled "Policy and Procedures for Review of District Solid Waste Management Plans", was used to evaluate the Bergen Solid Waste Management Plan. This process was designed to incorporate both State level and public comments into the review. Generally, State agencies evaluated the Plan with regard to its impact on the State solid waste management program and their own programs, and provided advice within their own specialized areas of expertise. Public comments centered mostly on environmental concerns and the possibilities of implementing resource recovery. Additionally, the State has reviewed the Plan to ascertain whether there is sufficient clarity of facts and recommendations to permit program implementation.

Based on the results of this review and evaluation, it is my determination that the Bergen County Solid Waste Management Plan be granted a Certification of Modification at this time, requiring satisfactory completion of the modifications listed herein.

The Department, as a result of its review of the Bergen County District Solid Waste Management Plan, and in accordance with the Solid Waste Management Act, has made the following findings and conclusions:

- 1) The Solid Waste Management Act requires each District to include an analysis of existing solid waste collection systems and transportation routes within the Solid Waste Management District and further, to make a survey of proposed collection districts and transportation routes, and to project the transportation costs from collection districts to existing and designated solid waste facilities. While the Bergen County Solid Waste Management Plan includes a survey of the various types of collection systems, existing collector haulers, and costs incurred by each municipality, the Plan does not include the duration of contracts, or an analysis of existing or proposed transportation routes and costs within the District to existing or available suitable sites for solid waste facilities.

- 2) The Solid Waste Management Act requires the District Plan to inventory the sources, composition and quantity of solid waste generation. While the Plan basically addresses this requirement, it does not provide sufficiently accurate data necessary for resource recovery implementation.
- 3) The Solid Waste Management Act requires the District Plan to include a solid waste disposal strategy which includes the maximum practicable use of resource recovery. While the Bergen County Plan does include various strategies for maximizing resource recovery, and provides a good preliminary investigation of high technology resource recovery, a detailed implementation schedule is not included.
- 4) The Solid Waste Management Act requires that each District Plan contain a plan for using terminated landfill disposal sites. The Bergen County Plan does not contain such a plan for each of its landfills.
- 5) The Solid Waste Management Act and the guidelines and criteria adopted by the Department pursuant to the Act require the District to adopt a solid waste management strategy which includes the maximum practicable use of resource recovery, including source separation and recycling. While the Bergen County Plan encourages source separation to the fullest extent within the County and provides model ordinances for municipalities, the Plan lacks a comprehensive program to maximize source separation, including the identification of markets and costs, the consideration of regional source separation districts and any legal, institutional or financial measures necessary to implement the program.
- 6) The Solid Waste Management Act provides that a system shall be established for uniform disposal rates within the District. The Bergen County Plan does not include a detailed procedure for the uniform distribution of resource recovery and disposal costs throughout the District's service area.
- 7) The Department, in its review of District Solid Waste Management Plans for the northeast, finds that certain District Plans, including the Bergen County Plan, have not identified or included interdistrict agreements for sufficient existing or available suitable sites to treat or dispose of their own wastes either in the short or long term, or both. Districts, including Bergen County, have not entered interdistrict agreements with one another for the transportation of wastes across District boundaries. The Department finds that such interdistrict waste flow is necessary, particularly during the short term as resource recovery is implemented, and should be part of a comprehensive plan for solid waste management in New Jersey.

In the absence of such a comprehensive plan, it has become necessary for the Department to develop a combined approach which will impact, to varying degrees, many Districts, including Bergen County. In light of the need for this interdistrict flow plan, it is necessary for Bergen County to enter into interdistrict

agreements with the Hackensack Meadowlands Development Commission. In developing its combined approach for northeastern New Jersey, the Department has approved new rules, cited as N.J.A.C. 7:26-1.11 et seq., which will impact solid waste collection and disposal practices and planning in the multi-district region including Bergen County.

Therefore, Bergen County is hereby directed to make the following modifications to its adopted District Solid Waste Management Plan no later than July 1, 1980:

- 1) The Plan shall set forth sufficient data and discussion to identify the existing and proposed configuration of solid waste collection and disposal operations, such that a solid waste franchise system can be developed. This shall include a waste flow diagram, for each type of waste, which shows the existing and proposed flow of solid waste for the ten year planning period from each municipality (source) to a specific processing and/or disposal facility (destination).
- 2) The Plan shall include a schedule (including specific milestones) for the completion of indepth studies necessary for resource recovery implementation and in indication of who will undertake the studies, an estimate of their cost, and how the studies will be funded. The studies, which should be completed in cooperation with the Hackensack Meadowlands Development Commission, shall include, as a minimum, the following:
  - a) the means for securing agreements/contracts for markets for materials and energy (including those for source separation/recycling),
  - b) a more indepth assessment of available resource recovery technology (including co-disposal) and an evaluation of cost/benefits,
  - c) determination of specific facility site(s), including lot and block numbers. With regard to "site B" be advised that access from the turnpike to any adjacent private facilities is contrary to turnpike policy and the turnpike is opposed to proposed site B.
  - d) collection of more reliable solid waste generation and composition data and justification for facility capacity (if possible, the H.M.D.C. weight-station servicing the baler may provide more accurate tonnage values on respective samples),
  - e) identification of legal and institutional constraints and solutions thereto that relates to jurisdictional overlap with the H.M.D.C., and the need for cooperative planning and implementation endeavors between the two planning agencies,
  - f) projections of both capital and operating costs and the method of financing them,
  - g) environmental assessment of potential sites, and

- h) the identification of the responsible implementation agency (in cooperation with the H.M.D.C.) and a clarification of the respective roles of Bergen County, the H.M.D.C. and the Bergen County Utilities Authority in the implementation of the Plan.
- 3) The Plan shall include a detailed plan for the use of terminated land disposal sites.
- 4) The Plan shall include a more comprehensive program for extracting the maximum practicable amount of recoverable materials via recycling, waste exchanges, and similar source separation programs.
- 5) The Plan shall include a detailed procedure for the uniform distribution of resource recovery and disposal costs throughout the District's service area. This Plan shall include any costs necessary to upgrade existing disposal facilities to meet environmental regulations.
- 6) The Plan shall include interdistrict agreements with the Hackensack Meadowlands Development Commission for implementing that part of the "Interdistrict Waste Flow Order" impacting the Bergen District, in accordance with the schedule contained within the "Interdistrict Waste Flow Order." Bergen County shall also enter agreements with said District setting forth the necessary procedures for coordinating and integrating collection, transportation, recovery and disposal services in the area and setting forth the specific responsibilities of each District for implementation of the Plan(s).
- 7) Bergen County shall reach an agreement with the H.M.D.C. on the amounts and types of wastes generated within the County and transported to either existing and/or proposed facilities within the H.M.D.C. District, for each of the ten years addressed in the Plan. The agreed upon data shall be incorporated into Bergen County's report and Plan.
- 8) In addition, Bergen County is directed to complete the additional modifications to its Solid Waste Management Plan described in the document attached to this Certification as Appendix I by July 1, 1980.

Attached as Appendix II is a list of recommended modifications to be included in the District Solid Waste Management Plan as part of the two year review required pursuant to N.J.S.A. 13:1E-20.

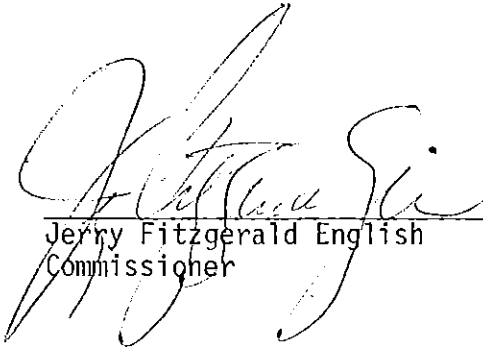
In accordance with N.J.S.A. 13:1E-24, these required modifications shall be considered major modifications of the District Plan and the District is hereby directed to conduct an additional public hearing no later than 45 days from the date of this Certification.

Following submission and review of the adopted modifications, I shall, within 30 days of submittal, certify to the Board of Chosen Freeholders whether or not these modifications are acceptable and if the Plan is approved.

Further, it is noted that the Solid Waste Management Act, the Rules of the Department of Environmental Protection, and other State and federal requirements

apply to the permitting and approval of solid waste facilities. Therefore, neither the Certification nor any future action of the Department concerning the District Solid Waste Management Plan shall be construed to be in derogation of, or inconsistent with, such other requirements.

1 May 1988  
Date

  
Jerry Fitzgerald English  
Commissioner



## Appendix I

### Additional Modifications Required by July 1, 1980

#### I. SOLID WASTE GENERATION

- The Plan shall include an inventory by source, type, composition, and quantity of solid waste (including sludge and septage) generated within the solid waste management District in the year in which the report is prepared and each of the ten years following the report. In addition, the Plan shall include a specific timetable for the conduct of a program to accurately define waste generation rates and composition necessary for resource recovery implementation.

#### II. COLLECTION AND HAUL

- The Plan did not provide a specific analysis of industrial waste generation, transportation and disposal within the County. In addition, a strategy for the maximum recovery of industrial wastes should be developed. A specific timetable for undertaking this analysis and developing a strategy shall be included.
- The Plan should also include a strategy for increasing the efficiency of collection and transportation within the County, specifically evaluating the implementation of the COLMIS or similar collection improvement system. Tasks to be completed for the early implementation of the proposed north-western transfer station should be outlined and performed as soon as possible.

#### III. SLUDGE AND SEPTAGE

- The County should continue its on-going review of sludge management plans and continue its involvement in the development of interim sludge strategies by the various 201 agencies.
- As indicated in the Plan, the County should also continue to investigate the co-disposal option at the proposed County or H.M.D.C. resource recovery facility.

#### IV. RESOURCE RECOVERY

- A final decision shall be made concerning a proposed resource recovery facility in Bergen County. Elements to be included in this decision include: designation of a lead implementing agency, a specific facility site, and a schedule for the selection of technology and the implementation of the resource recovery facility.

#### V. PUBLIC PARTICIPATION

- The Plan shall set forth a comprehensive public information and participation program (e.g., newsletters, newsreleases, public informational meetings, etc.). This program shall identify a process for keeping the

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public informed, for the receipt, evaluation and consideration of public comment, and for the integration of public participation into plan development and implementation. In addition, the Plan shall include documentation of the procedures Bergen County used for public participation in the development of its Plan. This shall include a discussion of the activities of the Bergen County Solid Waste Advisory Council, consultations with and input from other publics, and a discussion of the manner in which these comments were considered by the County. Lastly, the County shall forward two (2) transcripts of the public hearing or hearings held prior to the Freeholder adoption of the County Solid Waste Management Plan.

#### VI. LANDFILLS

- The Plan shall contain a map showing the locations of all existing solid waste facilities, identified by their Department of Environmental Protection Registration Number.
- The Plan shall contain an analysis of the necessary environmental improvements to landfills located within the District.
- The County shall proceed with its plans to recover methane from existing landfills.
- The Plan shall be updated to include mention of the Oakland Boro Sanitary Landfill and the Moffis Park Avenue Corporation sanitary landfill which are not included in the Processing and Disposal Facility Inventory. Also, the Plan shall include the Ho Ho Kus Boro disposal area as a sanitary landfill and not a composting area as categorized in the Plan.

#### VII. PLAN REVIEW AND UPDATE

- The Solid Waste Management Act requires the District Plan to contain provisions for its review by the Board of Chosen Freeholders once every two years. While the Bergen County Plan acknowledges this requirement and indicates that the Plan will have to be updated, no specific provisions have been made in the Plan to accomplish this. The Plan shall include specific provisions for its update.



## Appendix II

### Recommended Modifications for Two-Year Update of the Bergen County Solid Waste Management Plan

#### I. DATA BASE

- While the Bergen County Solid Waste Management Plan is very comprehensive with regard to demographics and land use, the Plan should include population projections consistent with year 2000 policy projections from the New Jersey Department of Environmental Protection, Draft New Jersey Water Quality Management Plan, March, 1979.

#### II. SOLID WASTE GENERATION

- Solid waste estimates and projections should continue to be provided according to waste identification categories in the New Jersey Department of Environmental Protection "Rules of the Solid Waste Administration." This format will provide consistency among District data.

#### III. COLLECTION AND HAUL

- The Plan should contain an analysis of the feasibility of alternative collection practices and should require the modifications of those practices where appropriate. This feasibility analysis should include an assessment of the feasibility of eliminating twice a week collection in those areas where recycling programs are successful.