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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)  
(GLOUCESTER COUNTY SOLID WASTE)  
(MANAGEMENT DISTRICT)

CERTIFICATION  
OF THE FEBRUARY 21, 1990  
AMENDMENT TO THE GLOUCESTER 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 September 26, 1980, the Department approved, with modifications, the Gloucester 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 Gloucester County Board of Chosen Freeholders completed such a review and on February 21, 1990 adopted an amendment to its approved district solid waste management plan. This amendment proposes to provide a trash hauling "B" route for vehicles unable to meet federal highway weight standards between Wenonah Borough and the Gloucester County Resource Recovery Facility.

The amendment was received by the Department of Environmental Protection on March 6, 1990, and copies were distributed to various state level agencies for review and comment, as required by law. The Department has reviewed this amendment and has determined that the amendment adopted by the Gloucester County Board of Chosen Freeholders on February 21, 1990 is approved as provided in N.J.S.A. 13:1E-24.

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

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 February 21, 1990 amendment to the Gloucester 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 this plan amendment is consistent with the Statewide Solid Waste Management Plan.

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

The New Jersey Department of Transportation (NJDOT) commented that part of the Wenonah Borough "B" route is on Route U.S. 130 between Grove Road (CR 643) just north of Hessian Avenue where Route I-295 diverges northward on a separate alignment from Route 130. This portion of Route 130 is concurrent with interstate Route 295. At present, this portion of Route 130/295 is undergoing a \$110 million reconstruction to upgrade the road to Interstate standards. During this period, which is expected to continue to late autumn of 1993, there may be truck restrictions which would negate use of the "B" route under the proposed amendment.

The NJDOT also stated that temporary diversionary roadways will be installed during the construction operation. These roadways are not designed for heavy traffic and even trucks bringing construction materials may be restricted from using this route. Finally, the NJDOT indicated that where Routes 130 and 295 converge, the road is considered part of the interstate highway system and all vehicles must meet federal bridge weight restrictions. The Department's response is found below.

The Division of Solid Waste Management commented that on October 13, 1989, the Department certified a May 3, 1989 amendment to the Gloucester County Plan. This amendment designated routes for solid waste vehicles travelling between Gloucester County municipalities and the resource recovery facility in West Deptford Township. The amendment in many cases designated both a primary ("A") route for vehicles which required use of I-295 for vehicles conforming to the federal bridge weight formula and an alternate ("B") route for vehicles not in conformance with interstate weight limits. Many of the "B" routes required use of U.S. Route 130 where it converges with I-295. Previously, the Division had thought that this combined route was a state highway. However, the NJDOT has informed the Division that this section of highway is a federal road governed by federal bridge weight limits. Therefore, the Division recommends that an alternate "B" route for Wenonah Borough be identified to provide a route for transporters that cannot comply with the federal bridge weight restrictions of the interstate highway system. The Department's response is found below.

Also, the Division commented that the October 13, 1989 certification of the May 3, 1989 Gloucester County amendment, which designated truck routes between municipalities and the resource recovery facility, contained errors in certain truck route designations. Specifically, the errors pertained to the use of U.S. Route 130 for the truck routes designated for National Park Borough, Westville Borough and Woodbury City. In response, the truck routes for these three municipalities are corrected in Section C. of this certification.

In response, the Department notes the comments of the Division of Solid Waste Management and the NJDOT. The Department approves the designation of the "B" route for Wenonah Borough which is the subject of this amendment but also notes that the county shall either designate an alternate "B" route which does not require use of the interstate highway system or require all haulers to meet the federal weight limits. Furthermore, as specified in Section C., Gloucester County is notified that it shall either designate alternate routes to the "B" truck routes specified in the May 3, 1989 amendment which require use of U.S. Route 130 where it converges with I-295, or to require haulers to otherwise meet the federal weight restrictions. Finally, for those municipalities for which "A" and "B" routes were not specified in the May 3, 1989 amendment and the designated route requires use of Route 130 where it converges with I-295, the county is notified that it shall either designate a non-interstate route or require haulers to meet the federal weight restrictions.

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

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 February 21, 1990 amendment to the approved Gloucester County District Solid Waste Management Plan and certify to the Gloucester County Board of Chosen Freeholders that the February 21, 1990 amendment is approved as further specified below.

The district plan inclusion of a "B" route between Wenonah Borough and the Gloucester County Resource Recovery Facility starting from Ogden Station Road to State Route 45 North to Parkville Station Road (County Route 656) to Grove Street (County Route 643) to U.S. Route 130 North is approved. This "B" route requires use of U.S. Route 130 where it converges with Interstate 295. Since this combined roadway is an interstate highway, the federal bridge weight limitations prevail and the route is not an alternative for transporters unable to meet the weight restrictions specified in the "A" route. Therefore, Gloucester County shall either designate an alternate "B" route for vehicles unable to meet the federal bridge limits or certify that all vehicles will meet the federal standards.

The Department also hereby notifies Gloucester County that it shall either designate alternate routes to the "B" truck routes specified in the May 3, 1989 amendment which require use of U.S. Route 130 where it converges with I-295, that are not inclusive of the interstate highway system or to require haulers to otherwise meet the federal standards. Also, for those municipalities for which "A" and "B" routes were not specified in the May 3, 1989 amendment and the designated route requires use of Route 130 where it converges with I-295, the county shall either designate non-interstate routes or require haulers to otherwise meet the federal standards.

The truck routes between National Park Borough, Westville Borough and Woodbury City and the Gloucester County Resource Recovery Facility, as previously approved in the certification of the May 3, 1989 amendment, are hereby revised as follows. These routes are approved provided haulers meet the applicable interstate weight limitations as discussed above. Otherwise, alternate routes will need to be designated by the county.

<u>Source</u>	<u>Travel Corridor</u>
National Park Borough	Local connectors to C.R. 642 to C.R. 631 to U.S. 130 N. to site.
Westville Borough	Local connectors to U.S. 130 to site.

Woodbury City

Local connectors to S.R. 45 to C.R. 642  
to C.R. 631 to U.S. 130 N. to site, or  
local connectors to C.R. 534 to U.S. 130 N.  
to site.

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 Gloucester 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 Gloucester 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 Gloucester County and affected by the amendment contained herein shall operate in compliance with this amendment and all other approved provisions of the Gloucester 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 Gloucester 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 Gloucester 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 -2.13.

6. Effective Date of Amendment

The amendment to the Gloucester 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 Gloucester 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 the amendment as outlined in Section C. of this certification to the Gloucester County District Solid Waste Management Plan which was adopted by the Gloucester County Board of Chosen Freeholders on February 21, 1990.

DATE

7/30/90

  
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JUDITH A. YASKIN  
COMMISSIONER  
DEPARTMENT OF ENVIRONMENTAL PROTECTION