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STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
CHRISTOPHER J. DAGGETT, COMMISSIONER
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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 MAY 3, 1989
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 May 3, 1989, adopted an amendment to its approved district solid waste management plan. This amendment proposes designated truck traffic routes to the county resource recovery facility in West Deptford Township from municipalities within Gloucester County.

The amendment was received by the Department of Environmental Protection on May 19, 1989, 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 May 3, 1989 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, Christopher J. Daggett, Commissioner of the Department of Environmental Protection have studied and reviewed the May 3, 1989, 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.

In addition, the Division of Solid Waste Management circulated the plan amendment to sixteen review agencies and solicited their review and recommendations. Pursuant to N.J.S.A. 13:1E-24a(2) and (3), these agencies included various offices, 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 the Green Acres Program; the State Departments of Agriculture, Community Affairs, and Transportation; the Pinelands Commission, 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. Division of Coastal Resources; the State Departments of Health and the Public Advocate; the Board of Public Utilities, the New Jersey Turnpike Authority, and the U.S. Environmental Protection Agency. The Division of Solid Waste Management submitted substantive comments which are further addressed below.

The Division of Solid Waste Management commented that the designation of truck routes within the amendment represents a change from those routes previously identified as Modified Option #1 and contained within condition #22 of the Temporary Solid Waste Facility Permit (TSWF) for the Gloucester County Resource Recovery Facility which was issued on December 15, 1987.

Wheelabrator Environmental Systems (WES), the permittee for the Gloucester County Resource Recovery Facility, has requested a modification of their temporary solid waste facility permit. The requested modification deletes the referenced truck routes known as Modified Option #1 and includes the truck routing plan identified as the Gloucester County Resource Recovery Facility Traffic Routes which were adopted by the Gloucester County Board of Chosen Freeholders on May 3, 1989 and are the subject of this amendment.

Since the truck routes identified within the proposed plan amendment are different than those routes identified in Condition #22 of the TSWF permit,

the Division required a modification of the TSWF permit issued to WES in accordance with the procedures stated at N.J.A.C. 7:26-2.6.

The Division has evaluated the intersections of the revised truck routing plan and has determined that the revised plan does not produce a lowering of the Level of Service (LOS) at the respective intersections. However, WES has committed to completing a follow-up traffic capacity analysis at the Hazel Avenue-Site Access U.S. Route 130 intersection upon the commencement of start-up operations at the facility. Should this investigation reveal a lowering of LOS at the intersection, mitigative measures will be necessary.

Finally, the Division's review revealed that no back-up route or "B" route for Wenonah Borough has been designated by Gloucester County. Although only 3 trucks per week from the municipality would utilize the resource recovery facility, efforts to date by Wenonah Borough to utilize streets from adjacent municipalities have been unsuccessful. Without such an alternate route, only vehicles that meet the federal interstate system weight limitations may use Interstate 295 to travel from Wenonah Borough to the resource recovery facility. In response, the Department directs Gloucester County in Section C. of the certification to either adopt an amendment designating an alternate route for trucks that fail to meet the interstate weight limitations or certify that all trucks that travel on I-295 from Wenonah Borough to the Gloucester County Resource Recovery Facility in West Deptford Township shall meet the federal interstate weight limitations. By copy of this certification, Gloucester County is informed of the comments of the Division of Solid Waste Management.

C. Certification of Gloucester 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 May 3, 1989 amendment to the approved Gloucester County District Solid Waste Management Plan and certify to the Gloucester County Board of Chosen Freeholders that the May 3, 1989 amendment is approved as further specified below.

The inclusion of designated truck routes to the Gloucester County resource recovery facility as specified below is hereby approved as part of the Gloucester County District Solid Waste Management Plan.

Special attention is given to those collector/haulers that will be using routes designated for the following municipalities: Clayton, Deptford, Elk, Franklin, Glassboro, Monroe, Newfield, Pitman, and Washington. For each of these municipalities, two routes are indicated ("A" and "B"), one of which will call for the utilization of Interstate 295 (I-295). Refuse trucks capable of complying with federal highway weight limits and, in particular, the Federal Bridge Formula (pursuant to N.J.S.A. 39:3-84(b)), must use the I-295 route at all applicable times. This includes vehicles capable of complying with federal highway weight limits when full, when partially loaded, and/or when empty on return from the resource recovery facility.

Refuse vehicles not meeting the interstate requirements must use the backup (B) route as indicated, for the period between the beginning of operations at the resource recovery facility and January 1, 1992. Haulers that currently provide service in municipalities having B routes, and those that anticipate doing so in the future, should determine whether or not their vehicles are able to comply with axle weight, and/or any other pertinent regulations for use of Interstate Route 295, and implement remedies if appropriate. All "B" routes will be eliminated January 1, 1992, and, therefore, all collector haulers must meet the federal interstate weight restrictions as of that date. Finally, regarding Wenonah Borough, Gloucester County must either adopt a subsequent amendment specifying an alternate B route for trucks traveling from the borough to the resource recovery facility that fail to meet the interstate weight restrictions or certify that all trucks shall meet the federal interstate weight limits.

<u>Source</u>	<u>Travel Corridor</u>
West Deptford Township	Local connectors to U.S. 130N to site.
National Park Borough	Local connectors to C.R. 642 to C.R. 631 to U.S. 130S to site.
Westville Borough	Local connectors to U.S. 130S to site.
Woodbury City	Local connectors to S.R. 45 to C.R. 642 to C.R. 631 to U.S. 130S to site, or local connectors to C.R. 534 to U.S. 130S to site.
Woodbury Heights Borough	Local connectors to S.R. 45 to C.R. 656 to C.R. 643 to U.S. 130N to site.
Deptford Township	<u>Oak Valley Area (West of C.R. 553)</u> Local connectors to C.R. 656 to C.R. 643 to U.S. 130N to site.
	All Other Areas:
	<u>A. Vehicles Meeting Federal Regs.</u> Local Connectors to S.R. 47 to S.R. 55 to S.R. 42, or C.R. 544, to S.R. 42, to Market Street (Gloucester City) to I-295S to U.S. 130N to site.
	<u>B. Vehicles Not Meeting Federal Regs.</u> Local connectors to S.R. 45 to Summit Avenue U-Turn to U.S. 130S to site.
Wenonah Borough	<u>A. Vehicles Meeting Federal Regs.</u> Local connectors to C.R. 553 to S.R. 55 to S.R. 42 to Market St. (Gloucester City) to I-295S to U.S. 130N to site.

B. Vehicles Not Meeting Federal Regs.
Gloucester County must either designate an alternate B route or certify that all trucks using the interstate system will meet the federal weight limits.

Washington Township

A. Vehicles Meeting Federal Regs
Local connectors to S.R. 42 to Market Street (Gloucester City) to I-295S to U.S. 130N to site.

B. Vehicles Not Meeting Federal Regs.
Local connectors to C.R. 635 to C.R. 678 to C.R. 667 to U.S.130N to site.

Monroe Township

A. Vehicles Meeting Federal Regs.
Local connectors to S.R. 42 to Market Street (Gloucester City) to I-295S to U.S.130N to site.

B. Vehicles Not Meeting Federal Regs.
Local connectors to U.S. 322 to U.S. 130N to site.

Franklin Township

A. Vehicles Meeting Federal Regs.
Local connectors and/or S.R. 47 to Pleasant Valley Rd. to S.R. 55 to S.R. 42 to Market Street (Gloucester City) to I-295 to U.S. 130N to site.

B. Vehicles Not Meeting Federal Regs.
Local connectors to S.R. 47 to U.S. 322 to U.S. 130N to site.

Clayton Borough

A. Vehicles Meeting Federal Regs.
Local connectors to C.R. 553 to S.R. 55 to S.R. 42 to Market Street (Gloucester City) to I-295S to U.S.130N to site.

B. Vehicles Not Meeting Federal Regs.
Local connectors to S.R. 47 to U.S. 322 to U.S. 130N to site.

Elk Township

A. Vehicles Meeting Federal Regs.
Local connectors to C.R. 553 to S.R. 55 to S.R. 42 to Market Street (Gloucester City) to I-295S to U.S.130N to site.

B. Vehicles Not Meeting Federal Regs.
Local connectors to C.R. 667 or C.R. 609 to U.S. 322 to U.S. 130N to site.

Glassboro Borough

A. Vehicles Meeting Federal Regs.
Local connectors to U.S. 322 to S.R. 55 to S.R. 42 to Market Street (Gloucester City) to I-295S to U.S. 130N to site.

B. Vehicles Not Meeting Federal Regs.

Local connectors to U.S. 322 to U.S. 130N to site.

Pitman Borough

A. Vehicles Meeting Federal Regs.

Local connectors to C.R. 553 to S.R. 55 to S.R. 42 to Market Street (Gloucester City) to I-295S to U.S. 130N to site.

B. Vehicles Not Meeting Federal Regs.

Local connectors to C.R. 678 to U.S. 130N to site.

Mantua Township

Local connectors to C.R. 678 to C.R. 667 to U.S. 130N to site.

Harrison Township

Local connectors to U.S. 322 to U.S. 130N to site.

South Harrison Township

Local connectors to S.R. 45 to U.S. 322 to U.S. 130N to site.

Woolwich Township

Local connectors to U.S. 322 to U.S. 130N to site.

Swedesboro Borough

Local connectors to C.R. 551 to U.S. 322 to U.S. 130N to site.

Logan Township

Local connectors to U.S. 130N to site.

Greenwich Township

Local connectors to U.S. 130N to site.

Newfield Borough

A. Vehicles Meeting Federal Regs.

Local connectors to U.S. 40 to S.R. 55 to S.R. 42 to Market Street (Gloucester City) to I-295S to U.S. 130N to site.

B. Vehicles Not Meeting Federal Regs.

Local connectors to C.R. 667 to C.R. 635 to C.R. 635 to C.R. 553 (alt.) to C.R. 678 to U.S. 130N to site.

East Greenwich Township

Local connectors to U.S. 130N to site.

Paulsboro Borough

Local connectors to C.R. 667 to U.S. 130N 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 Plans

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.

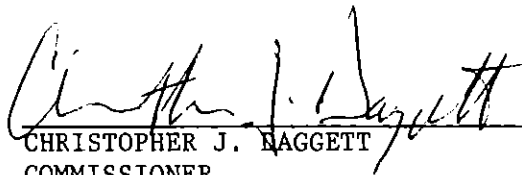
7. Reservation of Authority

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 May 3, 1989.

October 13, 1989
DATE


CHRISTOPHER J. MAGGETT
COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL PROTECTION