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Commissioner

IN THE MATTER OF CERTAIN AMRNDMENTS  
TO THE ADOPTED AND APPROVED SOLID  
WASTE MANAGEMENT PLAN OF THE  
GLOUCESTER COUNTY SOLID WASTE  
MANAGEMENT DISTRICT

CERTIFICATION  
OF THE SEPTEMBER 18, 1991  
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 of Environmental Protection approved, with modifications, the Gloucester County District Solid Waste Management Plan (County 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 a 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 a 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 (County Freeholders) completed such a review and, on September 18, 1991, adopted an amendment to its approved County Plan. This amendment proposed: modifications to the use and disbursement of Resource Recovery Investment Tax (RRIT) Fund moneys; the County's strategy to address the recommendations of the Emergency Solid Waste Assessment Task Force Final Report; the inclusion of seven private recycling centers; and a blanket inclusion policy for recycling centers.

The amendment was received by the Department of Environmental Protection and Energy (Department or DEPE) on October 28, 1991 and copies were distributed to various administrative review agencies for review and comment, as required by law. The Department has reviewed the amendment adopted by the County Freeholders on September 18, 1991 and has determined that the amendment is approved with modifications 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 have studied and reviewed the September 18, 1991 amendment to the County 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, as modified herein, is consistent with the Statewide Solid Waste Management Plan.

In conjunction with the review of the amendment, the Department circulated copies to seventeen administrative review agencies and solicited their review and comment. Pursuant to N.J.S.A. 13:1E-24a(2) and (3), these agencies included various bureaus, divisions, and agencies within the Department. These agencies were the following:

- Division of Environmental Quality, DEPE
- Division of Coastal Resources, DEPE
- Division of Parks and Forestry, DEPE
- Division of Fish, Game and Wildlife, DEPE
- Division of Solid Waste Management, DEPE
- Green Acres Program, DEPE
- Pinelands Commission
- Groundwater Quality Management Element, DEPE
- Wastewater Facilities Regulation Element, DEPE
- New Jersey Turnpike Authority
- New Jersey Advisory Council on Solid Waste Management
- Department of Agriculture
- Department of Health
- Department of Transportation
- Department of Community Affairs
- Department of the Public Advocate
- U.S. Environmental Protection Agency

1. Agency Participation in the Review of the September 18, 1991 Amendment

The following agencies did not object to the proposed plan amendment:

Division of Parks and Forestry, DEPE  
Division of Fish, Game and Wildlife, DEPE  
Department of Agriculture  
Department of Health  
Department of Transportation  
Department of Community Affairs  
U.S. Environmental Protection Agency

The following agencies did not respond to the Department's requests for comments:

Division of Coastal Resources, DEPE  
Green Acres Program, DEPE  
Groundwater Quality Management Element, DEPE  
Wastewater Facilities Regulation Element, DEPE  
New Jersey Turnpike Authority  
New Jersey Advisory Council on Solid Waste Management  
Department of the Public Advocate

The following agencies submitted substantive comments that are addressed below:

Pinelands Commission  
The Division of Solid Waste Management, DEPE  
The Division of Environmental Quality, DEPE

2. Issues of Concern Regarding the September 18, 1991 Amendment

Issue: Specific Permitting Requirements for the Planned Recycling Centers

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. These operations are also 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.

Four of the recycling centers which are the subject of this amendment will require Class B recycling center approval. These facilities are Spyder Incorporated, David Fazzio Wood Waste Recycling, Winzinger Recycling Systems, and Gloucester County Reclamation and Recovery Systems, Inc. The Department has directed that Spyder Incorporated obtain a recycling center approval according to the procedures at N.J.A.C. 7:26A-3.15. The application of David Fazzio Wood Waste Recycling for a Class B recycling center approval is presently under review in the Department. The application of Winzinger Recycling Systems to expand its Class B recycling center is currently on hold at the applicant's request. Finally, an approval application from Gloucester County Reclamation and Recovery Systems, Inc., has not yet been submitted.

The County Freeholders and the applicants are hereby notified of these comments and requirements.

**Issue: Effect of Recycling Center Blanket Inclusion Policy on Permitting Requirements**

A recycling center included within the County Plan under a blanket inclusion policy is not exempt from obtaining all necessary permits and approvals from the Department. Accordingly, any recycling center located or proposed to be located in a possible wetlands area must obtain a Division of Coastal Resources permit; any recycling center located in or proposed to be located in a Pinelands Protection Area must be found by the Pinelands Commission to be consistent with the Pinelands Comprehensive Management Plan prior to commencement of operations or prior to the issuance of a recycling center approval for a recycling center for Class B recyclable materials, if applicable. In addition, pursuant to N.J.A.C. 7:27-5, recycling centers are prohibited from emitting odors and other air contaminants which interfere with the enjoyment of life or property and may be required to obtain air pollution control permits, pursuant to N.J.A.C. 7:27-8.2(a). Finally, pursuant to N.J.A.C. 7:26A-3, any recycling center which receives, stores, processes, or transfers Class B recyclable materials, as defined at N.J.A.C. 7:26A-1.3, must receive recycling center approval from the Department.

The County Freeholders are hereby notified of these requirements.

**Issue: 60% Recycling Strategy**

Numerous issues have been identified relative to the County's 60% recycling strategy. These issues are as follows:

a. **Designated Recovery Target:** The amendment indicates goals to recycle 60% of the district's total waste stream and 50% of the municipal waste stream by December 31, 1995. However, documentation to support attainment of these goals is not included within the amendment. The County should provide such documentation in a subsequent plan amendment submission. Further, the County should not consider the 50% and 60% rates as maximum planning targets and should continue to refine and develop plans and programs toward achievement of even higher levels of recycling.

b. **Enforcement:** The amendment sets forth the County's goals to expand its existing solid waste enforcement program to include recycling. However, the County does not specify how it will accomplish this. The County should describe the enforcement program in detail in a subsequent plan amendment, including methods and frequency of enforcement and resources needed to implement and maintain a proper enforcement program.

c. **Additional Recyclable Materials:** The amendment identified materials to be recycled in addition to the County's previously designated materials (leaves, glass, aluminum cans, and newspaper). Those additional materials include for the residential sector ferrous cans and plastic and for the commercial and institutional

sector ferrous cans, plastic, and polystyrene foam products. The County, however, did not identify or describe its program, methods or timeframes for encouraging such additional recycling efforts, nor did it specify its commercial and institutional target groups for such efforts. The County should also consider designating additional recyclables for all sectors. Specifically, the County should include the recycling of vehicle and consumer batteries, used motor oil, cardboard, mixed paper, roofing materials, grass and brush, white goods, and wood in both the residential and the commercial and institutional sectors, and the recycling of asphalt, concrete, and masonry in the commercial and institutional sector. The County should reconsider its listing of designated materials toward a more comprehensive program within a subsequent plan amendment submission.

d. **Education:** The amendment indicates the County's intentions to continue to expand its public education efforts in schools and throughout the public and private sectors and its outreach to the commercial and institutional, and the multifamily dwelling sectors. However, neither the amendment nor the County's current recycling plan describe in detail the educational and outreach program, current and anticipated target groups, associated timeframes for developing such programs and the anticipated frequency of its efforts. Such information should be submitted to the Department in a subsequent plan amendment.

e. **Vegetative Waste:** The amendment set forth the County's policy to continue to encourage the recycling of all vegetative waste that is collected by the municipalities and the development of vegetative waste composting facilities. However, neither the amendment nor the current County Plan identify the specific programmatic efforts made to encourage the development of vegetative waste composting facilities. In addition, the amendment does not: update the inventory of existing composting facilities operating in the County; identify proposed facilities and facilities under development; nor estimate the annual tonnage diverted from the waste stream as a result of the County's composting efforts. It should be noted that the County's program for diverting vegetative waste is an important component of its source reduction program. Accordingly, this additional information should be provided to the Department in a subsequent plan amendment.

f. **Procurement Policies:** The amendment provides that the County intends to continue to implement procurement policies that favor the purchase of recycled materials. However, neither the amendment nor the County Plan identify its procurement policy, specific procurement guidelines, procurement goals, a method of recordkeeping and enforcement, or a timetable for implementation. The County should develop its program to include an educational and outreach program to municipalities; a requirement for County and local governments to adhere to current and future State procurement goals; sample bid specifications for use by governments and private businesses; and the purchase of photocopiers with duplexing capabilities, recycled products instead of virgin products, and recycled materials for road and other construction activities. All

of this information should be included in a subsequent plan amendment submission.

**g. Source Reduction Policies:** The amendment established source reduction goals to cap total waste generation by December 31, 1995 and to reduce total waste generation by December 31, 2000 through the use of waste audits, a household hazardous waste collection program, yard waste management, and educational strategies. The County also indicated its intention to consider a permanent household hazardous waste drop-off facility. However, the proposed plan for source reduction is highly conceptual and lacks any programmatic specificity necessary for the Department to evaluate its probability for success. The County should submit a subsequent plan amendment that identifies: the specific education program developed to implement source reduction in the County, the target groups, the specific methods of waste survey/audits to be employed, the waste survey/audit policy (who and when), the proposed enforcement measures, the associated timetables for implementing the source reduction program, and a description of the household hazardous waste program, including siting considerations.

**h. Regionalization:** The County has not addressed the issue of regionalization of its solid waste system as recommended by the Emergency Solid Waste Assessment Task Force Final Report. The County must consider the extent to which it can undertake long-term regionalization of its solid waste facilities and programs with other districts to provide regional solutions to solid waste management. Consideration should also be given to regional plans for materials processing, recycling, transfer and disposal facilities, as well as group purchasing through the use of bid specifications targeted to enhance source reduction and recycling programs.

**i. Additional Processing Facilities:** The County should consider the development of additional processing facilities such as a mixed waste and/or a bulky waste processing facility to increase the rate of recycling of various materials. Also, the County is not limited to developing just one facility for each but should evaluate opportunities for regionalizing, and should consider developing facilities within and outside the County.

**j. Cost for Implementing 60% Recycling Strategy:** The amendment does not indicate a projected cost for implementing the many programs necessary to implement the County's 60% recycling strategy. The County should prepare such an estimate and include it in a subsequent plan amendment submission.

As noted in Section C. of this certification, the September 18, 1991 amendment is approved. However, the above noted areas of source reduction, recycling and regionalization should be considered by the County in further refinement and development of its solid waste program in a subsequent plan amendment to be submitted within 180 days. Further, staff at the DEPE will be available to discuss the preceding comments and to work with the County to structure future plan amendment submissions.

**Issue: Blanket Inclusion Policy for Recycling Centers**

The September 18, 1991 amendment establishes a blanket inclusion policy for recycling centers. The purpose of the blanket inclusion is to encourage and facilitate the development of private recycling centers by eliminating the more complicated and time-consuming process of including each and every center in the County Plan pursuant to a formal plan amendment process as set forth in the Act.

The proposed plan amendment identifies a specific procedure for the blanket inclusion of a recycling center for Class A recyclable materials and a recycling center for Class B recyclable materials. The procedure proposed for including a recycling center for Class A recyclable materials requires the applicant to submit to the County proof that it has received all applicable local approvals and certain specific information about the applicant and the facility. In addition, a recycling center for Class A recyclable materials must provide a weight slip to each customer for every load of material, and the facility owner/operator must provide semi-annual tonnage figures to the municipal recycling coordinators.

The proposed procedure for including a recycling center for Class B recyclable materials requires the applicant to document that it has received all local approvals and to demonstrate that the application for the facility submitted to the Department fulfills all State recycling requirements. The applicant is required to submit to the County (and to the Pinelands Commission, if applicable) a full copy of the complete application submitted (or to be submitted) to the Department, including all engineering designs, reports and maps. In addition, a public notice procedure is specified, and to the extent that any objections to the site are raised by the County or by any other person, a formal amendment process may be required. Finally, the center owner/operator is required to keep proper records of the type and amount of material received, processed, stored and transferred, as well as the origin of the material.

As formulated, Gloucester County's blanket inclusion policy for recycling centers runs counter to the Solid Waste Management Act by conditioning plan inclusion on satisfaction of State requirements for a recycling center approval. The Act is structured so that the responsibility of including solid waste and recycling facilities in the district solid waste management plans belongs solely to the counties. See N.J.S.A. 13:1E-21 and N.J.S.A. 13:1E-99.12. The Act prohibits the Department from approving any solid waste facility which has not first been included in a County plan. See N.J.S.A. 13:1E-4b. Moreover, the Act specifies a formal plan amendment process to include a facility in a county plan to, among other things, serve the vital public policy goal of allowing maximum public participation in the amendment process. Although the Department will approve a blanket inclusion policy for recycling centers, it does so to the extent that the procedure for a blanket inclusion preserves an opportunity for public participation and ensures proper recordkeeping. These conditions balance the need for an expedited, cost-effective and simple process while ensuring, to the greatest extent possible, public notice and participation and accountable recycling center operations.

Therefore, the blanket inclusion policy proposed by the County must be modified accordingly. Specifically: (1) all recycling centers must submit to the County a detailed description of the facility; (2) a public notice procedure which provides the opportunity for public comment is required prior to blanket inclusion of all recycling centers; (3) all recycling centers are required to keep proper records for the origin and end markets of the materials to be received, stored, processed, or transferred at the center; (4) all recycling centers are required to obtain all applicable regulatory permits and approvals notwithstanding blanket inclusion in the plan; (5) the County Freeholders must approve by resolution the blanket inclusion of all recycling centers and submit the resolution to the Department; and (6) a recycling center for Class B recyclable materials is required to submit a copy to the County of its application to the Department, including all attachments, for recycling center approval.

The proposed amendment also required a recycling center for Class B recyclable materials to demonstrate that it will fulfill the State's Office of Recycling recycling center approval criteria. This requirement has been eliminated for two reasons. First, the State's Office of Recycling is no longer responsible for issuing recycling center approvals; that function has been transferred to the Bureau of Small Facility Review in the Division of Solid Waste Management. Second, as a practical matter, it is unclear how an applicant for blanket inclusion could make such a demonstration absent an actual determination by the Bureau of Small Facility Review, and that determination cannot be made until after a facility is included in the County Plan as explained more fully above.

The County Freeholders hereby are notified of these comments and modifications to the County's blanket inclusion policy for recycling centers. Although these modifications are final and do not require subsequent County Freeholder action, the County may adopt a subsequent plan amendment to include these modifications or make appropriate revisions.

**Issue: RRIT Fund Modifications**

The Department previously had approved the County's RRIT Fund use and disbursement schedule. The County had planned to use RRIT Fund moneys to proceed with the construction and operation of a County owned transfer station/recycling center. However, due to input from the municipalities within the County, the County is proposing to modify its RRIT Fund use and disbursement schedule. Specifically, a rebate program to municipalities in the County to offset the costs incurred by their respective solid waste and recycling programs will be implemented by liquidating a major portion of the RRIT Fund while maintaining sufficient moneys to design and construct the transfer station/recycling center should the facility be needed. This modification to the RRIT Fund use and disbursement is consistent with N.J.S.A. 13:1E-150(b) and (c).

The County Freeholders are hereby notified of these comments.



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

In accordance with N.J.S.A. 13:1E-1 et seq., specifically N.J.S.A. 13:1E-21, which establishes specific requirements regarding the contents of the district solid waste management plans, I have reviewed the September 18, 1991 amendment to the approved County Plan and certify to the County Freeholders that the September 18, 1991 amendment is approved, with modifications, as further specified below.

1. September 18, 1991 Amendment

a. RRIT Fund Use and Disbursement

The County Plan inclusion of a proposed modification of the County's use and disbursement of RRIT Fund moneys is approved. Specifically, in a previous plan amendment approved by the Department, the County proposed to expend the RRIT funds to purchase property and to construct a County owned transfer station/recycling center. Since that time, an increase in private sector recycling activities has prompted the County and its municipalities to reconsider the need for a publicly-owned transfer station/recycling center at this time. The September 18, 1991 amendment authorizes the County to proceed as planned to purchase property to be used as a site for a publicly-owned transfer station/recycling center if private recycling operations fail to meet the majority of municipal needs. However, the County's estimate for the costs to purchase the property has decreased from a total of \$535,000 to \$365,000 which represents an overall savings to the County of \$170,000.

In addition, the amendment authorizes a rebate totalling \$1,646,386 to the twenty-four (24) municipalities in the County to pay for costs incurred by their respective solid waste and recycling programs. The amount rebated to each municipality is determined based upon the amount paid by each municipality into the RRIT Fund on its reported municipal solid waste tonnages for the years 1985-1990 (beginning on July 1, 1985). The Department finds that the proposed modification of the use and disbursement of the RRIT Fund moneys is consistent with the prescribed uses for such funds as set forth in N.J.S.A. 13:1E-150(b) and (c). Accordingly, the inclusion of the modified use of the RRIT funds and the disbursement schedule for such funds is approved.

b. 60% Recycling Strategy

**Designated Recovery Target:** The inclusion in the County Plan of the County's goal to recycle 50% of the municipal and vegetative waste stream and 60% of the total waste stream by December 31, 1995 is approved. However, as noted within Section B.2.a. of this certification, the County must provide documentation to indicate achievement of these recycling rates in a subsequent plan amendment submission.

**Enforcement:** The inclusion in the County Plan of the County's goals to expand its existing solid waste enforcement program to include recycling is approved. However, as noted within Section B.2.b, the County should describe the enforcement program in detail in a subsequent plan amendment, including the methods and frequency of enforcement and resources needs to implement and maintain a proper enforcement program.

**Additional Recyclable Materials:** The following listing of recyclable materials to be source separated in the residential and the commercial and institutional sectors is approved.

**Residential Sector**

Glass containers\*  
Newspapers\*  
Aluminum cans\*  
Leaves\*  
Ferrous cans  
Plastic containers (HDPE and PET) ,

**Commercial and Institutional Sector**

Glass containers\*  
Newspapers\*  
Aluminum cans\*  
Leaves\*  
Ferrous cans  
Plastic containers (HDPE and PET)  
Polystyrene foam products

\*Previously approved recyclables

Gloucester County should consider including the recycling of vehicle and consumer batteries, used motor oil, cardboard, mixed paper, roofing materials, grass and brush, white goods, and wood in both the residential and the commercial and institutional sectors, and the recycling of asphalt, concrete, and masonry in the commercial and institutional sector. Also, as noted within Section B.2.c., the County should submit in a subsequent plan amendment its program, timeframes, and methods for encouraging additional recycling activities.

**Education:** The County's plans to continue to expand its public education efforts in schools and throughout the public and private sectors and its outreach to the commercial and institutional, and the multifamily dwelling sectors is approved. However, as noted within Section B.2.d., the County should submit a subsequent plan amendment that identifies and describes the educational and outreach programs, current and anticipated target groups, and associated timeframes for developing such programs and the frequency of its efforts.

**Vegetative Waste:** The County's policy to continue to encourage the recycling of all vegetative waste that is collected by the municipalities, as well to encourage the development of vegetative waste composting facilities, is approved. However, as noted in Section B.2.e., the County should submit a subsequent plan amendment addressing the following:

- (1) The specific programmatic efforts made to encourage the development of vegetative waste composting facilities;
- (2) An updated inventory of existing vegetative waste composting facilities located in the County, including size and location;
- (3) A list of proposed facilities and facilities under development; and
- (4) Anticipated tonnage results on an annual basis.

**Procurement Policies:** The County's plan to continue to implement procurement policies that favor the purchase of recycled materials is approved. However, as noted in Section B.2.f., the County should submit a subsequent plan amendment which refines its procurement policy, identifies specific procurement guidelines, establishes procurement goals for the County government and municipalities that are equal to or higher than the State's procurement goals, describes a method of recordkeeping and enforcement, and includes a timetable for implementation. The plan amendment also should include an educational and outreach program to municipalities.

#### c. Source Reduction Policies

The inclusion in the County Plan of source reduction goals to cap total waste generation by December 31, 1995 and to reduce total waste generation by December 31, 2000 through the use of waste audits, a household hazardous waste collection program, yard waste management, and educational strategies is approved. Specifically, the County has indicated its intention to consider a permanent household hazardous waste drop-off facility and encourage backyard composting of leaves, grass clippings, and other vegetative waste. With respect to waste audits, the County intends to conduct waste audits of industries with more than 500 employees by January 1, 1993, with more than 250 employees by January 1, 1994, and with more than 100 employees by January 1, 1995. The County intends to specify its proposed schedule to update such initial audits on a routine basis. However, as noted in Section B.2.g., the County should submit a subsequent plan amendment that identifies the specific educational program developed to implement source reduction in the County, the target groups, the specific methods of waste survey/audits to be employed, the waste survey/audit policy (who and when), the proposed enforcement measures, and the associated timetables for implementing the source reduction program. Such subsequent plan amendment also shall include a description of the County's household hazardous waste collection program, including public education and outreach efforts, personnel and equipment needs, disposal methods and locations, program results, and estimated costs.

d. Blanket Inclusion Policy for Recycling Centers

The blanket inclusion policy for recycling centers is approved with modifications as noted below. Specifically: (1) all recycling centers must submit to the County a detailed description of the facility; (2) a public notice procedure which provides the opportunity for public comment is required prior to blanket inclusion of all recycling centers; (3) all recycling centers are required to keep proper records for the origin and end markets of the materials to be received, stored, processed, or transferred at the center; (4) all recycling centers are required to obtain all applicable regulatory permits and approvals notwithstanding blanket inclusion in the plan; (5) the County Freeholders must approve by resolution the blanket inclusion of all recycling centers and submit the resolution to the Department; and (6) a recycling center for Class B recyclable materials is required to submit a copy to the County of its application to the Department, including all attachments, for recycling center approval. Although these modifications are final and do not require subsequent County Freeholder action, the County may adopt a subsequent plan amendment to include these modifications or make appropriate revisions.

For Recycling Centers for Class A Recyclable Materials and Recycling Centers for Class B Recyclable Materials:

A recycling center will be included within the County Plan under the blanket inclusion policy where the following conditions are met:

- (1) A project description containing the following information is submitted to the County:
  - (a) the corporate name, address and telephone number of the person seeking to own or operate the proposed recycling center;
  - (b) the name of the individual serving as a contact person;
  - (c) the location of the recycling center, including lot and block, and the generally recognized address of the site;
  - (d) the acreage of the site and/or square footage of the recycling center;
  - (e) the zoning of the site;
  - (f) a description of the material(s) to be received, stored, processed or transferred at the recycling center;
  - (g) projected daily tonnage by material to be received;
  - (h) the total daily capacity of the recycling center;

- (i) the identity of specific end markets by material;
  - (j) a description of the daily operation in narrative form;
  - (k) a map delineating the actual location of the facility in relationship to the host municipality and neighboring communities; and
  - (l) a description of major processing equipment in the recycling center.
- (2) The applicant submits written documentation that all applicable local approvals have been secured.
  - (3) The applicant publishes two (2) notices of the proposed application, once each week for two consecutive weeks, in a newspaper of general circulation in the host municipality. A notice shall include the following:
    - (a) the nature of the project;
    - (b) the lot and block number of the site location;
    - (c) the generally recognized address of the site;
    - (d) the location of the depositories for the inspection of a complete project description (for Class A recycling centers) or the recycling center approval application submitted to the Department (for Class B recycling centers) and any supporting documents; and
    - (e) a statement that written comments on the project will be accepted by the solid waste implementing agency for a period of 30 days from the date of first notice.
  - (4) No substantive objections to the site are raised by the County or any other person. If such substantive objections are raised, the proposed site and facility may be subject to a formal plan amendment process pursuant to N.J.S.A. 13:1E-23 and -24.
  - (5) The recycling center owner shall keep, or cause to be kept, proper records of the type and amount of each material received, processed, stored and transferred, as well as the origin of each material.
  - (6) Weight slip documentation is provided to the customer for every load of material entering the recycling center. In addition, municipal recycling coordinators will be provided with semi-annual tonnage figures.

- (7) The County Freeholders have approved the recycling center to be included in the County Plan under the blanket inclusion policy by duly adopted resolution and such resolution has been submitted to the Department, along with the detailed project description set forth in paragraph (1) above.

**Recycling Centers for Class B Recyclable Materials Only:**

- (1) The applicant submits to the County and, if applicable, the Pinelands Commission full copies (in duplicate) of the complete application submitted (or to be submitted) to the Department, including all engineering designs, reports, maps, etc. that are required by the Department to be submitted with the application.

**e. Inclusion of Seven Private Recycling Centers**

- (1) The County Plan inclusion of Spyder Incorporated located on Block 3, Lots 1 and 2, in Deptford Township, Gloucester County is approved. The facility will process automobile and small truck scrap tires into granulated crumb rubber. Approximately 2,000 tires will be processed each eight hour day resulting in 12 tons of granulated rubber. Once processed, granulated rubber will be transported to market. Because this recycling center will be handling Class B recyclable materials, as defined at N.J.A.C. 7:26A-1.3, it must obtain a recycling center approval from the Department pursuant to N.J.A.C. 7:26A-3 prior to operation.
- (2) The County Plan inclusion of David Fazzio Wood Waste Recycling located on Block 6, Lot 7, in Elk Township, Gloucester County is approved. The facility will process wood waste into wood mulch. Approximately 9,000 tons of incoming wood waste will be received each year and about 25 tons of mulch will be produced per day. Because this recycling center will be handling Class B recyclable materials, as defined at N.J.A.C. 7:26A-1.3, it must obtain a recycling center approval from the Department pursuant to N.J.A.C. 7:26A-3 prior to operation.
- (3) The County Plan inclusion of Winzinger Recycling Systems located on Block 2403, Lots 10-14, in Franklin Township, Gloucester County is approved. The facility will process yard waste, wood waste, concrete, brick, cinder block, and asphalt. Approximately 40 tons per day (TPD) of yard and wood waste, 20 TPD of concrete, and 10 TPD of brick, asphalt, and cinder block will be processed. The facility has previously been included within the County Plan, in the September 7, 1988 amendment, to process scrap wood, trees, and stumps. This amendment was certified on February 27, 1989. Because this recycling center will be handling Class B recyclable materials, as defined at N.J.A.C. 7:26A-1.3, it must obtain a recycling center approval from the Department pursuant to N.J.A.C. 7:26A-3 prior to operation.

- (4) The County Plan inclusion of Gloucester County Reclamation and Recovery Systems, Inc. located on Block 253, Lot 21, in Mantua Township, Gloucester County is approved. The facility will process newsprint, cardboard, glass, tin, aluminum, plastic, wood, white goods, and computer/office paper. Approximately 8 TPD of newsprint, 15 TPD of cardboard, 15 TPD of glass, 6 TPD of computer/office paper, and 1 TPD of tin, aluminum, plastic, wood, and white goods will be processed. In addition, pursuant to N.J.A.C. 7:26A-1.4(a)8, the facility will be permitted to temporarily store such items as concrete, asphalt, stumps, and roofing materials. However, the storage of grass clippings at the facility is not covered by this regulation and will not be permitted. Because this recycling center will be handling some Class B materials, as defined at N.J.A.C. 7:26A-1.3, it must obtain a recycling center approval from the Department pursuant to N.J.A.C. 7:26A-3 prior to operation.
- (5) The County Plan inclusion of Garden State Recycling located on Block 386, Lot 27, in Deptford Township, Gloucester County is approved. The facility will process about 50 tons per week of both cardboard and office paper. Also, the facility will process aluminum, glass, and plastic. Because this recycling center will be handling only Class A materials, as defined at N.J.A.C. 7:26A-1.3, no approval from the Department is necessary prior to operation. However, the recycling center must comply with the regulations at N.J.A.C. 7:26A-4.
- (6) The County Plan inclusion of Day Products located on Block 47, Lot 1.06, in Logan Township, Gloucester County is approved. The facility will process up to 50 million pounds per year of PET plastic bottles. Because this recycling center will be handling only Class A materials, as defined at N.J.A.C. 7:26A-1.3, no approval from the Department is necessary prior to operation. However, the recycling center must comply with the regulations at N.J.A.C. 7:26A-4.
- (7) The County Plan inclusion of National Polystyrene Recycling Company located on Block 46, Lot 6Z (3.01), in Logan Township, Gloucester County is approved. The facility will process up to 13 million pounds per year of polystyrene. Because this recycling center will be handling only Class A materials, as defined at N.J.A.C. 7:26A-1.3, no approval from the Department is necessary prior to operation. However, the recycling center must comply with the regulations at N.J.A.C. 7:26A-4.

Any residue generated as a result of the operations of these facilities shall be disposed of pursuant to the County Plan and the Interdistrict and Intradistrict Solid Waste Flow Rules (N.J.A.C. 7:26 et seq.). The construction and operation of all recycling centers which receive, store, process or transfer Class A recyclable materials, as defined at N.J.A.C. 7:26A-1.3, shall be in conformance with Department regulations and

guidelines, including N.J.A.C. 7:26A-4 et seq. The construction and operation of all recycling centers which receive, store, process or transfer Class B recyclable materials, as defined at N.J.A.C. 7:26A-1.3, shall be preceded by the acquisition of the necessary approvals pursuant to N.J.A.C. 7:26A-3 et seq., and shall be in conformance with Department regulations and guidelines, including N.J.A.C. 7:26A-4.

2. Gloucester County Response to Solid Waste Task Force Final Report

The County Plan has been reviewed to determine whether it fulfills the recommendations of the Emergency Solid Waste Assessment Task Force Final Report accepted by the Governor on November 16, 1990. As adopted, the County Plan generally addressed the source reduction and recycling components of the Task Force Final Report. The areas noted above that need further consideration should be addressed in a subsequent plan amendment submission. In addition, the amendment has failed to address the issue of regionalization. Therefore, the County is directed to submit a subsequent plan amendment within 180 days of this certification to address the noted areas of source reduction and recycling and the State policy of regionalization. Regarding regionalization, the County shall determine the extent to which it can undertake long-term regionalization of its solid waste facilities and programs with other districts to provide regional solutions to solid waste management. Consideration should be given to regional plans for materials processing, recycling, transfer, and disposal facilities. In terms of disposal capacity, while the Gloucester County incinerator is currently operating at or near full capacity, refinements to the County's source reduction and recycling programs will result in substantial diversion of materials from the solid waste stream. As noted in the Department's "Solid Waste Policy Guidelines" of June 1991, most counties sized their incinerators in anticipation of achieving a 25% recycling rate for the municipal waste stream. As the County moves closer to attainment of the 50% municipal waste stream and 60% total waste stream recycling rates, excess capacity will become available at the incinerator. As a result, the County should begin study and negotiation at this time towards regional plans to maximize the use of in-state permitted disposal capacity.

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



2. Compliance

All solid waste facility operators and transporters registered with the Department and operating within the County and affected by the amendment contained herein shall operate in compliance with this amendment and all other approved provisions of the County Plan. Any facility operator or transporter 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 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 County 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. All nonhazardous 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 set forth at N.J.A.C. 7:26-6, but are subject to regulation in accordance with N.J.A.C. 7:26A-1 et seq.

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

This document shall serve as the certification of the Commissioner of the Department to the County Freeholders and pursuant to N.J.S.A. 13:1E-24c and f, the County shall proceed with the implementation of the approved amendment certified 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 -99.12, N.J.A.C. 7:26-1.4, -2.13, and N.J.A.C. 7:26A-1.3.

6. Effective Date of the Amendment

The amendment to the County Plan contained herein shall take effect immediately.

7. Reservation of Authority

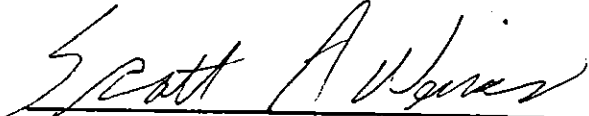
Nothing contained herein shall be construed as a limitation on any other action taken by the Department pursuant to its authority under the law. The County Plan, including any amendment made thereto, shall conform with the Statewide Solid Waste Management Plan. The Department has published a Statewide Solid Waste Management Plan, with appendices, which includes the Department's planning guidelines, rules, regulations, orders of the Department, 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 with Modifications of the Amendment by the Commissioner of the Department of Environmental Protection and Energy

In accordance with the requirements of N.J.S.A. 13:1E-1 et seq., I hereby approve with modifications the September 18, 1991 amendment to the Gloucester County District Solid Waste Management Plan as set forth in Section C. of this certification. I also hereby require, as noted in Section C., that the Gloucester County Board of Chosen Freeholders address the noted areas within the timeframe specified.

3-18-92

DATE



SCOTT A. WEINER

COMMISSIONER

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AND ENERGY

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