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Scott A. Weiner  
Commissioner

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  
OCTOBER 7, 1992 AND NOVEMBER 24, 1992  
AMENDMENTS 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 October 7, 1992 and November 24, 1992, adopted amendments to its approved County Plan.

The October 7, 1992 amendment proposed an expanded strategy for addressing the Emergency Solid Waste Assessment Task Force (Task Force) Final Report concerning source reduction, 60% recycling, and regionalization. The amendment was in response to the Department's March 18, 1992 certification of the County's initial Task Force plan amendment of September 18, 1991. Briefly, the March 18, 1992 certification noted that the initial submission did not provide documentation to support attainment of the 60% total waste stream and 50% municipal waste stream recycling rates by December 31, 1995. Also, the certification directed the County within a subsequent plan amendment submission to identify in greater detail its efforts with regard to enforcement, designating additional recyclables, education, vegetative and organic waste management, procurement, source reduction, regionalization, development of additional processing facilities, and a cost for implementing the 60% recycling strategy. The November 24, 1992 amendment included within the County Plan the Anheuser-Busch recycling center, in Logan Township, for processing Class A recyclable materials.

The October 7, 1992 and November 24, 1992 amendments were received by the Department of Environmental Protection and Energy (Department or DEPE) on November 13, 1992 and December 15, 1992, respectively, and copies were distributed to various administrative review agencies for review and comment, as required by law. The Department has reviewed these amendments and has determined that the amendments adopted by the County Freeholders on October 7, 1992 and November 24, 1992 are approved, with one minor exception, 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 Amendments**

Pursuant to N.J.S.A. 13:1E-24a(1), I have studied and reviewed the October 7, 1992 and November 24, 1992 amendments 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 these plan amendments are consistent with the Statewide Solid Waste Management Plan.

In conjunction with the review of the amendment, the Department circulated copies to sixteen 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 are the following:

Office of Energy, DEPE  
Land Use Regulation Element, DEPE  
Groundwater Quality Management Element, DEPE  
Wastewater Facilities Regulation Element, DEPE

Division of Parks and Forestry, DEPE  
Division of Fish, Game and Wildlife, DEPE  
Division of Solid Waste Management, DEPE  
Green Acres Program, 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 October 7, 1992 Amendment

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

Office of Energy, DEPE  
Division of Parks and Forestry, DEPE  
Division of Fish, Game and Wildlife, DEPE  
Green Acres Program, DEPE  
New Jersey Turnpike Authority  
Department of Agriculture  
Department of Transportation

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

Land Use Regulation Element, DEPE  
Groundwater Quality Management Element, DEPE  
Wastewater Facilities Regulation Element, DEPE  
New Jersey Advisory Council on Solid Waste Management  
Department of Community Affairs  
Department of the Public Advocate  
Department of Health  
U.S. Environmental Protection Agency

The following agency submitted substantive comments which are further addressed below:

Division of Solid Waste Management, DEPE

2. Agency Participation in the Review of the November 24, 1992 Amendment

The following agencies had no objection to the amendment:

Office of Energy, DEPE  
Division of Parks and Forestry, DEPE  
Land Use Regulation Element, DEPE  
New Jersey Turnpike Authority  
Department of Agriculture  
Department of Transportation

The following agencies did not respond to our requests for comment:

Groundwater Quality Management Element, DEPE  
Wastewater Facilities Regulation Element, DEPE  
Division of Fish, Game and Wildlife, DEPE  
Green Acres Program, DEPE  
New Jersey Advisory Council on Solid Waste Management  
Department of Health  
Department of Community Affairs  
Department of the Public Advocate  
U.S. Environmental Protection Agency

The following agency provided substantive comments as shown in Section B. of the certification document:

Division of Solid Waste Management, DEPE

**3. Issues of Concern Regarding the October 7, 1992 Amendment**

**Issue: County Response to Task Force Recommendations**

On September 18, 1991, the County adopted a multifaceted plan amendment, a portion of which sought to address the recommendations of the Task Force Final Report. The Department, in its certification of March 18, 1992, reviewed the September 18, 1991 plan amendment in the context of the Solid Waste Policy Guidelines. Specifically, the amendment was reviewed to determine whether it addressed the provisions of source reduction, 60% recycling, and regionalization. In its review, the Department determined that the September 18, 1991 amendment did not provide documentation to indicate achievement of the 50% municipal waste stream and the 60% total waste stream recycling rates. Also, the certification directed the County within a subsequent plan amendment submission to identify in greater detail its efforts with regard to enforcement, designating additional recyclables, education, vegetative and organic waste management, procurement, source reduction, regionalization, development of additional processing facilities, and a cost for implementing the 60% recycling strategy. The County was directed to submit the subsequent plan amendment by September 13, 1992, but it was not received until November 13, 1992.

The Department has reviewed the County's response to the Task Force recommendations in the context of the previous directives with comments as follows:

**a. Designated Recovery Target**

The amendment indicates recycling totals and rates for the municipal and total waste streams. Pursuant to the March 18, 1992 certification, the County has recalculated its recycling rates and has indicated achievement of the 60% total waste stream and 50% municipal waste stream recycling rates by December 31, 1995. The estimated 60% recycling rate which is based on the projected 1995 total solid waste disposal figure is in line

with the recycling tonnage data and solid waste disposal figures for 1991 that have been submitted to the Department. Similarly, the estimated 50% recycling rate which is based on the projected 1995 municipal and vegetative waste disposal figures is in line with the vegetative waste disposal figure and the bonus tonnage grant data for 1991 that have been submitted to the Department. The County should not consider the 50% and 60% rates as a maximum planning target but should continue to refine and develop plans and programs toward achievement of even higher levels of recycling.

**b. Enforcement**

The amendment indicates that the County has proposed a countywide recycling enforcement program which will target the commercial and institutional sector and multifamily dwellings within the County. The duties of enforcement personnel will be to monitor waste flow for recyclable materials at the County incinerator and to conduct inspections at multifamily dwelling complexes, commercial and institutional facilities. The program is to be implemented by the County Improvement Authority at a projected operating cost of \$44,000 for the first year of operations. These funds will cover a salary for one inspector, the procurement of a vehicle, office equipment and supplies. The program will be implemented as follows:

**(1) Waste Flows:**

- (a) Solid waste tipped at the County incinerator will be monitored for loads containing recyclable materials. Waste flow monitoring times will vary to ensure compliance.
- (b) Enforcement officers will attempt to determine the generator of loads containing greater than 20% recyclables.
- (c) Commercial generators will be the recipient of enforcement measures as described below in Section B.3.b.(2).
- (d) Residential recycling enforcement will not be implemented by the County, but will remain in the auspices of the municipal recycling program.

The Department rejects the County policy of allowing the acceptance of loads containing up to 20% recyclables at the County incinerator. The DEPE considers the 20% figure to be excessive and contrary to Department policy. The DEPE's policy is that the amount of designated recyclables entering an incinerator via the acceptable waste types must be restricted to diminimus amounts.

**(2) Multifamily Complexes and Commercial and Institutional Facilities:**

- (a) An enforcement officer will be assigned to conduct compliance inspections at multifamily complexes and commercial and institutional facilities within the County. This officer will carry out the recycling enforcement program on a full time basis.

- (b) Facilities that are found not to be recycling will receive up to three notices of violation during a 90 day grace period. Generators will be referred to the municipal and county recycling coordinators for assistance in establishing recycling programs.
- (c) If at the time of the fourth inspection, it is determined that the facility is not recycling, the enforcement officer will file a complaint through the municipal court. The fines and penalties for recycling noncompliance will be determined by the municipal court judge.
- (d) A follow-up inspection will be carried out one month following the court date. The facility will then be monitored for a period of six (6) months following the court date to determine compliance with the State's recycling laws. If the facility has not initiated plans to recycle, a complaint will again be filed with the municipal court.
- (e) Detailed records will be kept of all inspections and notifications in the form of a log, inspection forms, and warning notices.

**c. Additional Designated Materials**

The amendment identifies materials to be recycled in addition to the County's previously designated materials. In the residential sector the previously designated recyclables are glass containers, aluminum cans, newspapers, and leaves. In the commercial and institutional sector the previously designated recyclables are corrugated cardboard, glass containers, aluminum cans, leaves, newspapers, and high grade office paper. The County has now designated the recycling of clean wood waste in the commercial and institutional sector and used motor oil in the residential and commercial and institutional sectors.

Although the County encourages the recycling of additional recyclable materials including ferrous cans, plastic, polystyrene foam, lead acid batteries, consumer and household batteries, mixed paper, roofing materials, grass, brush, white goods and asphalt, it will postpone mandating additional materials, other than wood waste and motor oil, until there is evidence of increased stability in recycling markets and economic feasibility for the public/private sectors to comply with such requirements. The County will continue to move towards mandating the recycling of additional materials through encouraging market development and educational programs.

**d. Source Reduction**

The amendment indicates that source reduction will be achieved through the following strategies:

- (1) Waste audits will be carried out as per DEPE guidelines. Specifically, the County will conduct waste audits from industries with more than 500 employees; then from industries with more than 250 employees; and finally from industries with more than 100 employees by a time frame to be determined.
- (2) The County intends to continue to expand its source reduction education efforts in schools and throughout the public and private sectors as well as its outreach programs to the commercial and institutional and multifamily dwelling sectors.
- (3) The County's ongoing Household Hazardous Waste Collection Program at present includes one or two collection days per year, depending upon funding availability. This program provides collection for residents to safely dispose of materials such as paints, solvents, gasoline, pesticides, and other hazardous household materials and will be expanded to include additional collection days as funding becomes available. The County is also investigating the development of a permanent household hazardous waste collection facility. Progress for this facility will be discussed in a subsequent plan amendment with a schedule outlining the program the County will undertake.

The County must also consider per container or volume based billing systems to encourage source reduction. Further, the County must provide within a subsequent plan amendment submission a specific schedule for conducting waste audits in the private sector, and conducting waste audits at County and municipal buildings. Finally, within a subsequent plan amendment submission, the County must indicate its strategy to cap per capita generation of waste at documented 1990 levels, cap total waste generation within five years, and then reduce total waste generation within ten years.

**e. Education**

The amendment indicates the County's intentions to continue to expand its recycling education efforts in schools and throughout the public and private sectors and its outreach to the commercial and institutional, and the multifamily dwelling sectors. More specifically, the County plans to:

- (1) Offer school presentations upon request and provide recycling curriculum guides for distribution to all schools.
- (2) Provide a newsletter for all 68,000 households within the County with information on household hazardous waste, motor oil, grass recycling and a recycling guide on acceptable and unacceptable materials.
- (3) Sponsor an informational booth at various events during the year.
- (4) Handle telephone inquiries on a daily basis providing verbal and written information concerning household hazardous waste, recycling, and general solid waste disposal.

- (5) Schedule numerous promotional events.
- (6) Provide planning symposiums for the commercial and multifamily sectors, and for meeting the County's recycling requirements.
- (7) Provide school recycling symposiums to encourage the development of recycling programs within the school system.

**f. Vegetative and Organic Waste**

The amendment sets forth the County's policy to continue to encourage the recycling of all vegetative waste. The County encourages the recycling of vegetative waste through the following programmatic efforts:

The recycling staff includes vegetative waste recycling as a component in all educational recycling programs presented to schools, clubs and organizations. "Cut It and Leave It" brochures are distributed during the educational presentations and at the County recycling informational booth set up at various public events throughout the year. The County encourages the development of public and private sector vegetative waste facilities. The inclusion process of these facilities in the County Plan has been facilitated through the implementation of a blanket inclusion procedure for compost as well as recycling facilities. The County's recycling staff assists municipalities and other generators of vegetative waste in locating markets for these materials. The County also encourages the mulching of leaves on agricultural land. It should be noted that the County's programs for diverting vegetative waste is an important component of its source reduction program. The County should continue to investigate options for composting or mulching of vegetative waste as well as organic waste. Further, the County must provide within a subsequent plan amendment submission a capacity analysis to ascertain the need for additional compost facilities.

**g. Procurement Policies**

The amendment indicates the County's strategy to implement procurement policies. Specifically, the County will favor the purchase of post consumer recycled material in collaboration with other counties and the State Division of Procurement and Central Services. The County has also implemented the use of photocopiers with duplexing capability and expanded procurement of products with recycled content. A content clause in all bid specifications where appropriate requiring the purchase of recycled products will be included as of January 1, 1993. These specifications will be made available to all municipalities and businesses within the County through coordinator meetings, recycling workshops held for the business sector, and direct outreach programs by County and municipal recycling coordinators. The County is also investigating markets for goods made with recycled content and will be utilizing these markets where appropriate. This information will also be circulated to the municipalities for their use. Meetings with all County recycling coordinators and County departments to discuss the implementation of these policies is key to achieving the procurement policies as set forth in the County Plan.



#### **h. Regionalization**

The County has long encouraged the approach of regionalization in the area of recycling. Municipalities have used recycling services located inside and outside the County, including private vendors and other county facilities, specifically, Camden and Cumberland Counties. The County makes every effort to publicize and distribute vendor information regardless of location. The County is continuing to meet and discuss regionalization of recycling with a number of other counties.

The County incinerator in Deptford Township was designed with a capacity of 575 tons per day and was expected to have an actual throughput of 460 tons per day or 80% capacity. This allowed for both scheduled and unscheduled downtime and maintenance. The plant was specifically designed to service only the needs of County residents. The annual throughput was expected to be about 167,900 tons. The plant handled 164,444 tons in 1990 and 175,495 in 1991 operating at an 84% capacity rate. From a long-term perspective, it was envisioned that growth in recycling would balance out growth in the waste stream of the County. Therefore, the facility lacks capacity to serve a regional need. The County landfill located in South Harrison Township was also specifically designed to serve only the needs of the County. It accepts bypass and ash from the County incinerator as well as other nonprocessible waste. The County will continue to pursue regionalization for facilities other than the landfill and incinerator.

While the County has taken the above noted position within the October 7, 1992 amendment, it is important to frame the long-term incinerator capacity issue consistent with statewide policy. Specifically, as noted within the Department's June 1991 Solid Waste Policy Guidelines, incinerators such as the Gloucester County facility were sized in anticipation of a 25% recycling rate. As counties implement both source reduction and recycling measures (not just recycling as noted above), excess capacity should become available even when growth in the waste stream is anticipated. Therefore, the County must continually assess available incinerator capacity as it pursues source reduction and recycling goals. As a result, in the future, the County must consider regionalization of the incinerator and landfill as excess capacity becomes available.

#### **i. Additional Processing Facilities**

The amendment inventories existing recycling centers for Class A and Class B recyclable materials and vegetative waste facilities. However, the County should conduct a capacity analysis to determine whether additional recycling centers and vegetative and organic waste facilities are necessary. The inventory is as follows:

##### **Class A Facilities**

- (1) Gloucester County Reclamation and Recovery Systems, Inc.  
Mantua Township  
glass, aluminum, ferrous cans, newspaper, corrugated, office paper, plastics

- (2) Day Products, Logan Township  
PET plastic soda bottles
- (3) National Polystyrene Recycling Facility, Logan Township  
polystyrene
- (4) Garden State Recycling, Deptford Township  
cardboard and office paper
- (5) Paulsboro Scrap, Paulsboro  
newspaper, cardboard and office paper, nonferrous scrap
- (6) Konrad Beer Distributors, Deptford Township  
aluminum cans
- (7) Matteo Scrap Metal, West Deptford Township  
ferrous and nonferrous cans and scrap metal

**Class B Facilities**

- (1) Winzinger Recycling, Franklin Township  
wood waste, stumps and tree parts
- (2) Eastern Energy Harvesters, Elk Township  
wood waste, tree stumps, tree parts
- (3) Petroleum Recycling, Inc., Clayton  
used motor oil

**Vegetative Waste Facilities**

- (1) Recycled Wood Products, Washington Township  
wood waste and leaves
- (2) County Conservation, Washington Township  
leaves, grass, brush, stumps and logs
- (3) Winzinger Recycling, Franklin Township  
wood waste, brush, stumps, logs and a limited quantity of  
leaves
- (4) Gloucester County Utilities Authority Compost Facility, West  
Deptford Township  
leaves
- (5) Pitman Municipal Compost Facility  
leaves
- (6) Deptford Township Compost Facility  
leaves

(7) Franklin Township Compost Facility  
leaves

(8) Clayton Municipal Compost Facility  
leaves

j. Cost for Implementing 60% Recycling Strategy

The amendment estimates a total of \$862,517 as the cost of implementing the County's 60% recycling strategy. The Department commends the County for the detailed effort necessary to compile this amount and recommends that an audit be conducted in the future to verify the accuracy of this estimate.

As noted in Section C. of this certification, the Task Force strategy adopted by the County Freeholders is approved with one minor exception. The rejection pertains to the County policy of allowing loads containing up to 20% recyclables to be tipped at the County incinerator. The Department considers the 20% figure to be excessive and contrary to DEPE policy which restricts the acceptance of recyclables to diminimus amounts. Further, the above noted areas of source reduction, recycling, and regionalization must 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. Staff at the DEPE will be available to discuss the preceding comments and to work with the County to structure future plan amendment submissions.

4. Issues of Concern Regarding the November 24, 1992 Amendment

Issue: Regulatory Requirements Concerning the Anheuser-Busch Recycling Center

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 and property. Also, recycling centers are considered solid waste facilities which are subject to N.J.A.C. 7:27-8.2(a)16 which requires air pollution control permits for any equipment which vents a solid waste facility directly or indirectly into the outdoor atmosphere. Such vents may require devices to control odors and other air contaminants.

If the operation of the planned recycling center will discharge pollutants as defined in N.J.A.C. 7:14-1.9, said operation must secure a New Jersey Pollutant Discharge Elimination System Permit and/or a Treatment Works Approval for pollutant discharges prior to operation.

Although no approval from the Department is necessary prior to operation, the operation of a recycling center which receives, stores, processes or transfers Class A recyclable materials, as defined at N.J.A.C. 7:26A-1.3, shall be in conformance with N.J.A.C. 7:26A-4 et seq.

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

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

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 October 7, 1992 and November 24, 1992 amendments to the approved County Plan and certify to the County Freeholders that the October 7, 1992 and November 24, 1992 amendments are approved, with one minor exception, as further specified below.

1. October 7, 1992 Amendment

a. **Designated Recovery Target**

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, the County should not consider the 50% and 60% rates as maximum planning targets and should continue to refine plans and programs toward achievement of even higher levels of recycling.

b. **Enforcement**

The County's proposal to implement a county wide recycling enforcement program is approved with one minor exception. Specifically, the County will target enforcement actions at the commercial and institutional sector and at multifamily dwellings. The County will also monitor incoming loads at the County incinerator. However, the Department rejects the County policy of allowing loads containing up to 20% recyclables to be tipped at the County incinerator. The DEPE considers the 20% figure to be excessive and contrary to DEPE policy. The Department's policy is that the amount of designated recyclables entering an incinerator via the acceptable waste types must be restricted to diminimus amounts.

c. **Additional Designated Materials**

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

Leaves  
Glass containers  
Aluminum cans  
Newspaper  
Used motor oil  
Office paper (commercial only)  
Corrugated cardboard (commercial only)  
Clean wood waste (commercial only)

Although the County has recommended the recycling of ferrous cans, plastic, polystyrene foam, lead acid batteries, consumer and household batteries, mixed paper, roofing materials, white goods, grass and brush, it should consider mandating the recycling of the materials. Achievement of the 50% and 60% recycling rates may be difficult in the absence of mandatory recycling of these additional materials.

**d. Source Reduction**

The County's strategy to enact specific source reduction strategies is approved. Among these policies are expanding source reduction educational programs, the encouragement of vegetative waste composting, and the continuance of a Household Hazardous Waste Collection Program. The County should consider the implementation of per container or volume based billing systems. Also, as noted in Section B.3.d., the County must provide within 180 days in the required subsequent plan amendment submission a schedule for conducting waste audits in the private sector and at County and municipal buildings, and to cap per capita generation of waste at 1990 levels, cap total waste generation within five years, and then reduce total waste generation within ten years.

**e. Education**

The County's plan to expand its existing recycling education efforts in schools and throughout the public and private sectors and its outreach program to the commercial and institutional sector and multifamily dwellings is approved.

**f. Vegetative and Organic Waste**

The County's goal to encourage the recycling of vegetative waste to reduce the amount of waste in the solid waste stream is approved. However, as noted in Section B.3.f., the County must provide within 180 days in the required subsequent plan amendment submission a capacity analysis to ascertain the need for additional vegetative and organic waste recycling facilities.

**g. Procurement Policies**

The County's strategy to implement procurement policies which favor the purchase of post consumer recycled materials, the use of sample bid specifications, the purchase of photocopiers with duplexing capabilities, and an outreach program to municipalities to encourage these policies is approved.

**h. Regionalization**

The amendment indicates that the County is pursuing discussions with other Counties to regionalize many of its solid waste facilities. Specifically, the County has a verbal agreement which allows for some County municipalities to deliver their commingled materials to the Cumberland County recycling center. The County has also participated in discussions with a number of other counties and will continue to pursue regionalization of its solid waste facilities other than the County incinerator and landfill. While the County's regionalization plan has been approved, in the future as increased source separation and recycling

reduce the amount of processible waste to be delivered to the County incinerator, Gloucester County must consider regionalization of that facility and its landfill to ensure a sufficient delivery of processible waste and accommodations for ash, bypass and nonprocessibles disposal. Therefore, as noted in Section B.3.h., the County must begin the study and negotiation towards regionalization of its incinerator as excess capacity becomes available and report its findings within 180 days in a subsequent plan amendment submission.

**i. Additional Processing Facilities**

As indicated in Section B.3.i., the County has provided an inventory of all recycling centers for Class A and B recyclable materials and vegetative waste compost facilities. Since none of these facilities is the subject of this certification, no DEPE action is required.

**j. Cost for Implementing 60% Recycling Strategy**

The County's estimate of \$862,517 as the cost for implementing the 60% recycling strategy is approved. The County should consider conducting an audit in the future to verify the accuracy of this estimate.

**2. November 24, 1992 Amendment**

The County Plan inclusion of the Anheuser-Busch recycling center located on Block 48, Lot 2.03, off of Osprey Court in the Pureland Industrial Park in Logan Township, Gloucester County is approved. The facility will process aluminum cans and glass containers. Projected daily tonnage is 212 tons per day of glass and 23 tons per day of aluminum. End markets for the glass and the aluminum are the bottle producers and primary sheet metal producers, respectively, for Anheuser-Busch. Because this recycling center will be processing only Class A recyclable materials, as defined in 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. Pursuant to N.J.A.C. 7:26A-4.1(a)1.iii, Class A recyclable materials may be commingled only with other Class A recyclable materials. Any residue generated as a result of the operation of this recycling center 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.)

**D. Other Provisions Affecting the Plan Amendments**

**1. Contracts**

Any contract renewal or new contract for solid waste collection or disposal which is inconsistent with these amendments to the County Plan and which was executed prior to the approval of these amendments and subsequent to the effective date of the Solid Waste Management Act (July 29, 1977), and which shall further be for a term in excess of one year, shall immediately be renegotiated in order to bring same into conformance with the terms and provisions herein set forth. Any solid waste

collection operation or disposal facility registered by the Department and operating pursuant to a contract as herein described, shall be deemed to be in violation of these amendments and of the County Plan if such renegotiation is not completed within ninety (90) days of the effective date of these amendments provided, however, that any such registrant may, upon application to the Department, 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 these amendments contained herein shall operate in compliance with these amendments 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 Amendments

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 amendments certified herein.

5. Definitions

For the purpose of these amendments and unless the context clearly requires a different meaning, the definitions of terms shall be the same as those found at N.J.S.A. 13:1E-3 and -99.12, N.J.A.C. 7:26-1.4 and -2.13, and N.J.A.C. 7:26A-1.3.

6. Effective Date of the Amendments

The amendments 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 of the Amendments 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 one minor exception, the amendments, as outlined in Section C. of this certification, to the Gloucester County District Solid Waste Management Plan which were adopted by the Gloucester County Board of Chosen Freeholders on October 7, 1992 and November 24, 1992. I also hereby require, as noted in Section C., the Gloucester County Board of Chosen Freeholders to address the noted deficiencies within the timeframe specified.

3-19-93  
DATE

  
SCOTT A. WEINER  
COMMISSIONER  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AND ENERGY

1891