



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF THE COMMISSIONER
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(IN THE MATTER OF THE PROPOSED)
(SOLID WASTE MANAGEMENT PLAN OF)
(THE HACKENSACK MEADOWLANDS)
(SOLID WASTE MANAGEMENT DISTRICT)

CERTIFICATION
OF
MODIFICATION

BY ORDER OF THE COMMISSIONER:

On May 2, 1979, the Hackensack Meadowlands Development Commission (H.M.D.C.) adopted the Hackensack Meadowlands District Solid Waste Management Plan pursuant to the Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.).

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

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

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

- 1) The Solid Waste Management Act requires each District to make a survey of proposed collection districts and transportation routes, and to project the transportation costs from collection districts to existing and designated solid waste facilities. With the concurrence of the Department of Environmental Protection, the H.M.D.C. entered an agreement with adjacent districts providing for the joint development of portions of the District Solid Waste Management Plans. Under the joint agreement, the Hackensack Meadowlands District was to evaluate various processing and disposal methods available, and the county Districts were to evaluate collection and transportation alternatives.

- 2) The Solid Waste Management Act requires the District Plan to inventory the sources, composition, and quantity of solid waste generation. Under the joint agreement described above, the Counties were to provide the H.M.D.C. with this data. In the development of its Plan, the H.M.D.C. developed disposal data which differs from the data prepared by the Counties. In addition, the Plan should include a program for obtaining the more accurate data necessary for resource recovery implementation.
- 3) The Solid Waste Management Act requires the District Plan to provide sufficient disposal capacity to meet existing and projected disposal needs. The H.M.D.C. Plan does not sufficiently identify existing and proposed disposal facilities to meet these short and long term disposal needs.
- 4) The Solid Waste Management Act requires the District Plan to include a solid waste disposal strategy which includes the maximum practicable use of resource recovery. The H.M.D.C. Plan does not include a detailed strategy for maximizing resource recovery.
- 5) While the Department of Environmental Protection recognizes the H.M.D.C. efforts to establish a system of uniform rates at disposal facilities within the District, no detailed procedure for establishing such rates is included in the District Plan.
- 6) The Department, in its review of District Solid Waste Management Plans for the northeast, finds that certain District Plans have not identified sufficient existing or available, suitable sites to treat or dispose of their own wastes either in the short or long term, or both. Districts have not entered interdistrict agreements with one another for the transportation of wastes across District boundaries. The Department finds that such interdistrict waste flow is necessary, and should be part of a comprehensive plan for solid waste management in northeastern New Jersey.

In the absence of such a comprehensive plan, it has become necessary for the Department to develop a combined approach which will impact, to varying degrees, many Districts, including the H.M.D.C. In light of the need for this interdistrict flow plan, it is necessary for the H.M.D.C. to enter into interdistrict agreements with Bergen, Essex, Hudson, Passaic and Union Counties. These agreements will require the H.M.D.C. to reassess its resource recovery and disposal capacity needs. In developing its combined approach for northeastern New Jersey, the Department intends to issue an "Interdistrict Waste Flow Order" that will alter solid waste collection and disposal practices in the multi-district region.

- 7) The Solid Waste Management Act requires the District Plan to contain provisions for its review by the Hackensack Meadowlands Development Commission once every two years. Such provisions have not been made in the H.M.D.C. Plan.

Therefore, the H.M.D.C. is hereby directed to make the following modifications to its adopted District Solid Waste Management Plan no later than July 1, 1980:

- 1) The Plan shall include specific dates and estimated costs for resource recovery implementation in the Hackensack Meadowlands District. Also to be included is a schedule (including specific milestones) for the completion of indepth studies necessary for scheduled resource recovery implementation and an indication of who will undertake the studies, an estimate of their cost, and how the studies will be funded. The studies shall include, as a minimum, the following:
 - a) the identification of and agreements/contracts for markets for materials and energy (including those for source separation/recycling),
 - b) an updated assessment of available resource recovery technology (including co-disposal) and an evaluation of cost/ benefits,
 - c) determination of specific facility site(s), including lot and block numbers,
 - d) collection of more reliable solid waste generation and composition data and justification for facility capacity,
 - e) identification of legal and institutional constraints and solutions thereto,
 - f) projections of both capital and operating costs and the method of financing them,
 - g) environmental assessment of selected technologies and sites,
 - h) determination of specific sites and capacity for the disposal of resource recovery residuals, for emergency backup and for non-processable wastes, and
 - i) the identification of the responsible implementation agency(ies).
- 2) The H.M.D.C. shall reach an agreement with the Counties of Bergen, Essex, Hudson, Passaic and Union on the amounts and types of wastes generated within these counties and transported to the H.M.D.C. District and shall incorporate the agreed upon data into its report and Plan.
- 3) The Plan shall set forth sufficient data and discussion to identify the existing and proposed configuration of solid waste disposal operations, such that a solid waste disposal franchise system can be developed. This shall include a waste flow diagram, for each type of waste, which shows the existing and proposed flow of solid waste for the ten year

planning period from each municipality (source) to a specific processing and/or disposal facility (destination). The waste flow plan shall conform to the "Interdistrict Waste Flow Order" and shall include those municipalities included in the District's service area. This shall also identify the specific haulers now involved in collecting waste by municipality.

- 4) The Plan shall include a more detailed procedure for the uniform distribution of resource recovery and disposal costs throughout the District's service area. This plan shall include an estimate of the costs necessary to upgrade existing disposal facilities to meet environmental regulations.
- 5) The Plan shall include interdistrict agreements with Bergen, Essex, Hudson, Passaic and Union Counties for implementing that part of the "Interdistrict Waste Flow Order" impacting the H.M.D.C., in accordance with the schedule contained within the "Interdistrict Waste Flow Order." The H.M.D.C. shall also enter agreements with said Counties setting forth the necessary procedures for coordinating and integrating collection, transportation, recovery and disposal services in the area and setting forth the specific responsibilities of each District for implementation of the Plan(s).
- 6) The Plan shall include a revised resource recovery and disposal strategy to provide for any necessary additional capacity required as a result of the "Interdistrict Waste Flow Order".
- 7) In addition, the H.M.D.C. is directed to complete the additional modifications to its Solid Waste Management Plan described in the document attached to this Certification as Appendix I by July 1, 1980.
- 8) The Plan shall be modified to contain provisions for its review by the H.M.D.C. not less than once every two years following the Department's approval.

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

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

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

Further, it is noted that the Solid Waste Management Act, the Rules of the Department of Environmental Protection, and other State and federal requirements apply to the permitting and approval of solid waste facilities. Therefore, neither the Certification nor any future action of the Department concerning the District Solid Waste Management Plan shall be construed to be in derogation of, or inconsistent with, such other requirements.

1 October 1979

Date

Jerry Fitzgerald English
Jerry Fitzgerald English
Commissioner

Appendix I

Additional Modifications Required by July 1, 1980

I. COLLECTION AND HAUL

- While the Group I joint agreement provided that planning for collection and haul would be the responsibility of the County Districts, the inter-district agreements shall include provisions for the coordination and integration of efficient and effective collection and haul services. The H.M.D.C. Plan shall incorporate the agreed upon collection and transportation plans for those County Districts sending wastes to the H.M.D.C. District.

II. SLUDGE AND SEPTAGE

- The Plan refers to four sewage treatment plants within the H.M.D.C. District which presently utilize land-based disposal methods. The Plan shall provide more specific details regarding the amount and type of sludge and the land-based disposal methods utilized.
- The Plan shall address septage generated in Kearny and North Bergen.
- The Plan shall determine the amounts of compost or similarly stabilized materials and consider its use as a supplement to final cover at terminated landfills.
- The Plan shall provide more specific details concerning the short and long term disposal of sludge and septage in the H.M.D.C. area.

III. LANDFILLS

- The Solid Waste Management Act requires that each District Plan contain a plan for using terminated landfill disposal sites. While the H.M.D.C. Plan provides for the development of DeKorte Park on terminated landfills, the Plan shall also address the possibility of methane recovery and the protection of environmental quality during the post-closure period.
- The Plan shall include a site map showing the location of existing and proposed solid waste facilities within the District.

IV. RESOURCE RECOVERY

- The Plan does not distinguish between that part of the waste stream which will be recovered by high and low technology resource recovery. An analysis of the most appropriate mix of high and low technology shall be undertaken in order to minimize costs, conserve energy and enhance environmental quality. This analysis shall be undertaken in consultation with the County Districts supplying waste to facilities in the H.M.D.C.

V. PUBLIC PARTICIPATION

- The Plan shall set forth a comprehensive public information and participation program. This program shall identify a process for keeping the public informed, for the receipt, evaluation and consideration of public comment, and for the integration of public participation into plan development and implementation.

Appendix II

Recommended Modifications for Two-Year Update of the H.M.D.C. Solid Waste Management Plan

I. DATA BASE

- The Plan should include population projections consistent with year 2000 policy projections from the New Jersey Department of Environmental Protection, Draft New Jersey Water Quality Management Plan, March, 1979.

II. SOLID WASTE GENERATION

- Solid waste estimates and projections should be provided according to waste identification categories in the New Jersey Department of Environmental Protection "Rules of the Solid Waste Administration." This format will provide consistency among District data.
- The updated Solid Waste Management Plan should include, in an appendix, the specific methodology used in obtaining solid waste estimates and projections.
- A more intensive commercial and industrial solid waste generation survey should be carried out in an attempt to more accurately define the quantity and quality of waste generated from these sources. The survey method may involve questionnaire mailings, phone interviews and personal interviews. Commercial and industrial wastes account for a large portion of the solid waste stream. There should also be an attempt to segregate out bulky waste figures from the municipal waste totals to provide a more accurate determination of processible solid waste that can be handled by resource recovery facilities.

III. COLLECTION AND HAUL

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