



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ROBERT E. HUGHEY, COMMISSIONER
CN 402
TRENTON, N.J. 08625
609 - 292 - 2885

(IN THE MATTER OF CERTAIN AMENDMENTS)
(TO THE ADOPTED AND APPROVED SOLID)
(WASTE MANAGEMENT PLAN OF THE)
(HACKENSACK MEADOWLANDS DISTRICT)

CERTIFICATION
OF THE SEPTEMBER 25, 1985
AMENDMENT TO THE HACKENSACK MEADOWLANDS
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 July 31 1981, the Department approved, with modifications, the Hackensack Meadowlands District Solid Waste Management Plan.

The Act requires that all district plans be based on and accompanied by a report detailing the existing waste disposal situation in the district, and a plan which includes the strategy to be followed by the district in meeting the solid waste management needs of the district for the ten-year planning period. The report must detail the current and projected waste generation for the district, inventory and appraise all facilities in the district, and analyze the waste collection and transportation systems which serve the district. The disposal strategy must include the maximum practicable use of resource recovery techniques. In addition to this strategy, the plan must designate sufficient available suitable sites for the disposal of the district's waste for the ten-year period; which sites may be in the district or, if none are available, in another district. (The Act provides procedures for reaching any necessary interdistrict agreements.)

The Act further provides that a district may review its plan at any time, and, if found inadequate, a new plan must be adopted. The Hackensack Meadowlands Development Commission completed such a review and on September 25, 1985 adopted an amendment to its approved district solid waste management plan. The amendment proposes to allow the importation of 825 gallons per week of waste ink from the New York Times printing facility in Manhattan, New York, to be burned as a supplementary fuel at the New York Times printing facility incinerator located at 600 Washington Avenue, Carlstadt, New Jersey.

The amendment was received by the Department of Environmental Protection on October 4, 1985 and copies were distributed to various state level agencies for review and comment, as required by law. The Department has reviewed this amendment, and has determined that the amendment adopted by the Hackensack Meadowlands Development Commission on September 25, 1985 is approved as provided in N.J.S.A. 13:1E-24.

B. Findings and Conclusions with Respect to the Hackensack Meadowlands District Solid Waste Management Plan Amendment

Pursuant to N.J.S.A. 13:1E-24a(1), I, Robert E. Hughey, Commissioner of the Department of Environmental Protection have studied and reviewed the September 25, 1985 amendment to the Hackensack Meadowlands District Solid Waste Management Plan according to the objectives, criteria, and standards developed in the Statewide Solid Waste Management Plan and I find and conclude that this plan amendment is fully consistent with the Statewide Solid Waste Management Plan.

In addition, the Division of Waste Management circulated the plan amendment to sixteen review agencies and solicited their review and recommendations. Pursuant to N.J.S.A. 13:1E-24a(2) and (3), these agencies included various agencies, bureaus, and divisions within the Department of Environmental Protection as well as the Board of Public Utilities. Also among these agencies were the Department of Community Affairs, the Department of the Public Advocate, the Department of Health, the Office of Recycling, the Department of Agriculture, the Department of Transportation and the New Jersey Turnpike Authority. Of these agencies, the following had no objections to the amendment: The N.J.D.E.P. Divisions of Fish, Game and Wildlife, Parks and Forestry, and Water Resources; the State Departments of Transportation, Community Affairs, and Agriculture, the Board of Public Utilities, the Office of Recycling, the New Jersey Turnpike Authority, and the New Jersey Advisory Council on Solid Waste Management. The following agencies failed to respond to our requests for comment: the N.J.D.E.P. Divisions of Coastal Resources and Green Acres; the State Departments of Health, and the Public Advocate; and the U. S. Environmental Protection Agency. The N.J.D.E.P. Division of Environmental Quality submitted substantive comments concerning the plan amendment which are addressed below.

The Division of Environmental Quality's Air Pollution Control Program, Bureau of Engineering and Technology stated that a new or amended permit and certificate (from the Air Pollution Control Program) may be required before the additional waste ink may be burned. Section C. of this certification approves the proposed plan amendment conditioned upon the obtainment of all additional required approvals from the N.J.D.E.P. Divisions of Environmental Quality and Waste Management.

C. Certification of Hackensack Meadowlands District Solid Waste Management Plan Amendment

I, Robert E. Hughey, Commissioner of the Department of Environmental Protection, in accordance with N.J.S.A. 13:1E-1 et seq. and N.J.S.A. 13:1E-21, which established specific requirements regarding the contents of the district solid waste management plans, have reviewed the September 25, 1985

amendment to the approved Hackensack Meadowlands District Solid Waste Management Plan and certify to the Hackensack Meadowlands Development Commission that the September 25, 1985, amendment is approved as further specified below.

The importation of 825 gallons per week of waste ink from the New York Times printing facility in Manhattan, New York, to be burned as a supplementary fuel at the New York Times printing facility incinerator located at 600 Washington Avenue, Block 126, Lots 13 and 20 in Carlstadt, New Jersey is approved. However, should there be a temporary or permanent closure (shutdown) of the incinerator, shipment of this waste ink would be discontinued and under no circumstances would waste ink be directed to any other New Jersey disposal facility designated within the Interdistrict and Intradistrict Solid Waste Flow Rules N. J. A. C. 7:26-6.5 in the absence of a subsequent plan amendment.

This approval is contingent upon the obtainment of all necessary permits or amended permits and certificates from the N.J.D.E.P Divisions of Waste Management and Environmental Quality, and any additional approvals under N.J.S.A. 13:1E-1 et seq. and all other applicable laws. The issuance of construction and/or operating permits pursuant to the Solid Waste Management Act is limited to those applicants found by the Department to be fit and competent to manage such facilities.

D. Other Provisions Affecting the Plan Amendment

1. Contracts

Any contract renewal or new contract for solid waste collection or disposal which is inconsistent with the within amendment to the Hackensack Meadowlands District Solid Waste Management Plan and which was executed prior to the approval of this amendment and subsequent to the effective date of the Solid Waste Management Act (July 29, 1977), and which shall further be for a term in excess of one year, shall immediately be renegotiated in order to bring same into conformance with the terms and provisions herein set forth. Any solid waste collection operation or disposal facility registered by the Department of Environmental Protection and operating pursuant to a contract as herein described, shall be deemed to be in violation of this amendment and of the Hackensack Meadowlands District Solid Waste Management Plan if such renegotiation is not completed within ninety (90) days of the effective date of this amendment; provided, however, that any such registrant may, upon application to the Department of Environmental Protection, and for good cause shown, obtain an extension of time to complete such renegotiation.

2. Compliance

All solid waste facility operators and collector/haulers registered with the Department of Environmental Protection and operating within the

Hackensack Meadowlands District and affected by the amendment contained herein shall operate in compliance with this amendment and all other provisions of the Hackensack Meadowlands District Solid Waste Management Plan. Any facility operator or collector/hauler who fails to comply with the provisions contained herein shall be deemed to be in violation of N.J.S.A. 13:1E-1 et seq., in violation of N.J.A.C. 7:26-1 et seq., and in violation of their registration to operate a solid waste facility or a collection system issued thereunder by the Department of Environmental Protection and shall be subject to the provisions and penalties of N.J.S.A. 13:1E-9, 10, and 12 and all other applicable laws.

3. Types of Solid Wastes Covered by the District Solid Waste Management Plans

The provisions of the Hackensack Meadowlands District Solid Waste Management Plan shall apply to all solid wastes defined in N.J.S.A. 13:1E-3 and N.J.A.C. 7:26-2.13 and shall not apply to liquid wastes, sewage sludge, septage, and hazardous wastes.

Also, all non-hazardous materials separated at the point of generation for sale or reuse are excluded from the waste flows designated in the Interdistrict and Intradistrict Solid Waste Flow Rules (N.J.A.C. 7:26-6.5) which are part of the Hackensack Meadowlands District Solid Waste Management Plan.

4. Certification to Proceed with the Implementation of Plan Amendment

This document shall serve as the certification of the Commissioner of the Department of Environmental Protection to the Hackensack Meadowlands Development Commission, and pursuant to N.J.S.A. 13:1E-24C. and F., the Commission shall proceed with the implementation of the approved amendment contained herein.

5. Definitions

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

6. Effective Date of Amendment

The approved amendment to the Hackensack Meadowlands District Solid Waste Management Plan contained herein shall take effect immediately.

7. Reservation of Authority

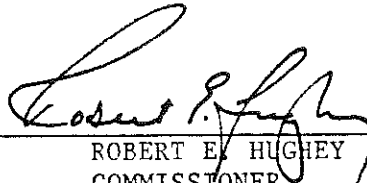
Nothing contained herein shall be construed as a limitation on any other action taken by the Department of Environmental Protection pursuant to authority under the law. The Hackensack Meadowlands District Solid Waste Management Plan, including any amendment made thereto, shall conform with the Statewide Solid Waste Management Plan. The Department has published a Statewide Solid Waste Management Plan with appendices which includes the Department's planning guidelines and rules, regulations, and orders of the Department, including the interdistrict and intradistrict waste flow rules, and also includes the compilation of individual district plans and amendments as they are approved.

E. Certification of Approval of the Amendment by the Commissioner of the Department of Environmental Protection

In accordance with the requirements of N.J.S.A. 13:1E-1 et seq., I hereby approve the amendment as outlined in Section C. of this certification, to the Hackensack Meadowlands District Solid Waste Management Plan which was adopted by the Hackensack Meadowlands Development Commission on September 25, 1985.

1/16/86

DATE



ROBERT E. HUGHEY
COMMISSIONER

DEPARTMENT OF ENVIRONMENTAL PROTECTION