



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION SITE REMEDIATION & WASTE MANAGEMENT PROGRAM

401 East State Street

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PHILIP D. MURPHY

Governor

SHEILA Y. OLIVER

Lt. Governor

SHAWN M. LATOURETTE

Commissioner

The Honorable John P. Kelly
Ocean County Board of Commissioners
101 Hooper Avenue
Toms River, NJ 08753

Dear Commissioner Kelly:

I am pleased to inform you that the New Jersey Department of Environmental Protection has approved the Solid Waste Management Plan Amendment ("Amendment") adopted by the Ocean County Board of Commissioners on January 19, 2022. The certification is enclosed.

The approved Amendment incorporates the Lakewood Township Transfer Station to be located within the existing Lakewood Public Works Complex at 1 America Avenue, Block 549.01, Lot 1 and Block 549.02, Lot 1 in Lakewood Township, to collect Type 10 solid waste (not to exceed 300 tons per day) generated within the boundaries of Lakewood Township, for delivery to the Ocean County Landfill Corporation sanitary landfill facility. The proposed facility will consist of a permanent pre-engineered metal building, which will facilitate the transfer of Type 10 solid waste from Lakewood's solid waste haulers to semi-trailers for onward transportation to the landfill.

While this plan amendment is approved, please be advised that the permit applicant for this facility will be required to adhere to Administrative Order 2021-25, and may be subject, pending rule promulgation, to further requirements as stipulated in NJSA 13:1D-157 (the "Environmental Justice Law").

We recognize and appreciate the leadership and commitment that the Ocean County Board of Commissioners demonstrated in working collaboratively with the Ocean County Solid Waste Advisory Council, elected officials, and residents to formulate the Amendment.

Sincerely,

Mark J. Pedersen

Assistant Commissioner

Enclosure



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CERTIFICATION OF THE JANUARY 19, 2022 AMENDMENT TO THE OCEAN COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN

BY ORDER OF THE DEPARTMENT:

A. Introduction

The New Jersey Solid Waste Management Act (“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 County Commissioners and the Hackensack Meadowlands Development Commission (previously known as the New Jersey Meadowlands Commission, and now known as New Jersey Sports & Exposition Authority or NJSEA) develop comprehensive plans for waste management in their respective districts. On May 13, 1980, the Department of Environmental Protection (“Department” or “DEP”) approved the Ocean County District Solid Waste Management Plan (“County Plan”).

The Act further provides that a District may review its County Plan at any time and, if found inadequate, a new County Plan must be adopted. The Ocean County Board of Commissioners completed such a review and on January 19, 2022, adopted an amendment to its approved County Plan.

The January 19, 2022, Amendment (“Amendment”) proposes County Plan inclusion of The Lakewood Township Transfer Station to be located within the existing Lakewood Public Works Complex at 1 America Avenue, Block 549.01, Lot 1 and Block 549.02, Lot 1 in Lakewood Township, to collect Type 10 solid waste (not to exceed 300 tons per day) generated within the boundaries of Lakewood Township, for delivery to the Ocean County Landfill Corporation sanitary landfill facility (OCLC). Type 10 solid waste is classified as municipal solid waste and includes residential, commercial, or institutional waste. The proposed facility will consist of a permanent pre-engineered metal building, which will facilitate the transfer of Type 10 solid waste from Lakewood’s solid waste haulers to semi-trailers for onward transportation to the landfill.

The Amendment was considered complete for review by the Department on February 24, 2022, and copies were distributed to various administrative review agencies for review and comment, as required by law. The Department has reviewed this Amendment and has determined that the Amendment adopted by the County Commissioners on January 19, 2022, is approved as provided in N.J.S.A. 13:1E-24.

B. Findings and Conclusions with Respect to the Ocean County District Solid Waste Management Plan Amendment

Pursuant to N.J.S.A. 13:1E-24a (1), I have studied and reviewed the 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 the Amendment proposing inclusion of the Lakewood Township Transfer Station is consistent with the Statewide Solid Waste Management Plan. In this regard, the County Commissioners are notified of the elements of the Amendment which are included below.

Elements of the January 19, 2022 Amendment

Element: Facility Operations

The Amendment proposes County Plan inclusion of the Lakewood Township Transfer Station to be located within the existing Lakewood Public Works Complex at 1 America Avenue, Block 549.01, Lot 1 and Block 549.02, Lot 1 in Lakewood Township, to collect Type 10 solid waste (not to exceed 300 tons per day) generated within the boundaries of Lakewood Township, for delivery to the OCLC. The proposed facility will be designed, constructed, and operated by Lakewood Township. The proposed facility will consist of a permanent pre-engineered metal building, which will facilitate the transfer of mixed municipal solid waste from Lakewood's solid waste haulers to semi-trailers for onward transportation to the landfill.

Element: Regulatory Requirements

The owner or operator of a solid waste TS/MRF must obtain a Solid Waste Facility (SWF) Permit from the Department prior to the commencement of regulated activities and shall also follow all pertinent regulations found at N.J.A.C. 7:26-2 et seq. and the design and operational requirements at N.J.A.C. 7:26-2B.5 and N.J.A.C. 7:26-2B.9, respectively.

Transfer stations/material recovery facilities are subject to the provisions of N.J.A.C. 7:27-8.2(c)17 which requires air pollution control permits for any equipment which vents a solid waste facility directly or indirectly into the outdoor atmosphere.

If the proposed operation has a "storm water discharge (or storm water DSW)", a "process wastewater" discharge and/or discharges a "pollutant" as defined in N.J.A.C. 7:14A-1.2, or includes activities that require a New Jersey Pollutant Discharge Elimination System (NJPDES) Permit as identified in N.J.A.C. 7:14A-2.4, the applicant shall contact the



Department's Division of Water Quality to obtain a NJPDES Permit and/or a Treatment Works Approval for discharges prior to operation, if required.

Finally, while this plan amendment is approved, please be advised that the permit applicant for this facility will be required to adhere to Administrative Order 2021-25, and may be subject, pending rule promulgation, to further requirements as stipulated in NJSA 13:1D-157 (the "Environmental Justice Law").

C. Certification of the Ocean 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 Amendment to the approved County Plan and certify to the County Commissioners that the Amendment is approved as further specified below.

The County Plan inclusion of The Lakewood Township Transfer Station to be located within the existing Lakewood Public Works Complex at 1 America Avenue, Block 549.01, Lot 1 and Block 549.02, Lot 1 in Lakewood Township, to collect Type 10 solid waste (not to exceed 300 tons per day) generated within the boundaries of Lakewood Township, for delivery to the OCLC. The proposed facility will consist of a permanent pre-engineered metal building, which will facilitate the transfer of mixed municipal solid waste from Lakewood's solid waste haulers to semi-trailers for onward transportation to the landfill.

The construction or operation of any solid waste facility shall be preceded by the acquisition of all necessary permits and approvals pursuant to N.J.S.A. 13:1E-1 et seq., and all other applicable laws.

D. Other Provisions Affecting the Plan Amendment

1. Certification to Proceed with Implementation of Amendment

This document shall serve as the Certification by the Department to the County Commissioners and pursuant to N.J.S.A. 13:1E-24c and f., the County Commissioners shall proceed with the implementation of the approved components of the Amendment certified herein.

2. 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 and -2.13, and N.J.A.C. 7:26A-1.3.



3. **Effective Date of Amendment**

The approved components of this Amendment shall take effect immediately.

4. **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 to the Statewide Solid Waste Management Plan, with appendices, which includes the Department's planning guidelines, rules, regulations, orders of the Department, and includes the compilation of individual county plans and amendments as they are approved.

E. **Certification of Approval of the Amendment by 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 Ocean County District Solid Waste Management Plan which was adopted by the Ocean County Board of County Commissioners on January 19, 2022.

6/29/22
Date


Mark J. Pedersen
Assistant Commissioner

