

*Solid and Hazardous Waste Program  
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Ernest J. Kuhlwein, Jr., Director  
Dept. of Solid Waste Management  
129 Hooper Avenue  
P.O. Box 2191  
Toms River, New Jersey 08754-2191

Dear Mr. Kuhlwein:

On January 2, 2007 the Department of Environmental Protection's Solid and Hazardous Waste Program received a request for an administrative action to address the implementation of the generator recycling enforcement program and establish a time frame for scheduling facility plan inclusion requests for consideration by the Ocean County Board of Chosen Freeholders.

Pursuant to N.J.A.C. 7:26-6.11(b) 14, the Department considered this County Plan inclusion of addressing the implementation of the generator recycling enforcement program and establishing a time frame for scheduling facility plan inclusion requests for consideration by the Ocean County Board of Chosen Freeholders to be an approvable administrative action. This amendment is hereby approved as an administrative action pursuant to N.J.A.C. 7:26-6.11(f).

Ocean County has submitted this Administration Action and the April 20, 2005 Plan Amendment in response to the required submission as contain in the updated Statewide Solid Waste Management Plan. On April 13, 2002 New Jersey Department of Environmental Protection Commissioner Bradley M. Campbell signed Administrative Order No. 2002-10, which requires, among other things, that the Department revise, update and readopt the Statewide Solid Waste Management Plan. On January 3, 2006 New Jersey Department of Environmental Protection Commissioner Lisa P. Jackson formally adopted the updated Statewide Solid Waste Management Plan.

The updated Statewide Solid Waste Management Plan reaffirms the state's goal of recycling 50% of the MSW stream. The overall strategy for achieving this ambitious goal starts with a quantification, on a statewide basis, of the increased tonnage of recycled materials needed. This is further calculated on a per county basis, with an analysis of current MSW recycling tonnages by county, and the necessary increases required by each county. The statewide increase needed is also expressed in terms of increased recycling tonnage by material, such as newspaper, corrugated, food waste, etc. Additionally, the plan targets specific classes of generators (schools, multi-family housing complexes, small and medium sizes businesses) that need to be focused on in terms of expanded recycling opportunities for the materials identified.

The state, through this Solid Waste Management Plan update, establishes the overall policy objectives and goals for solid waste management in New Jersey. The Counties and the NJMC shall have the responsibility for developing their respective district solid waste management plans consistent with the state's goals and objectives. Therefore, as noted in the State Plan, each district shall, within one year of adoption of the Updated Statewide Solid Waste Management Plan or January 6, 2007, adopt and submit to the Department, an updated district solid waste plan. This district plan shall reiterate the district plan requirements contained in N.J.S.A. 13:1E-21. Specifically, revised district plan updates shall include, but not be limited to the following components:

- 1) Designation of the department, unit or committee of the county government (or district in the case of the New Jersey Meadowlands Commission) to supervise the implementation of the district plan;
- 2) An inventory of the quantity of solid waste generated within the district for the ten-year period commencing with the adoption of updated district solid waste management plan;
- 3) An inventory of all solid waste and recycling facilities (lot and block and street address) including approved waste types and amounts, hours of operation and approved truck routes;
- 4) An outline of the solid waste disposal strategy to be utilized by the district for a ten-year planning period;
- 5) A procedure for the processing for inclusion of solid waste and recycling facilities within the district solid waste management plans. The procedure shall state the applicant requirements for inclusion into the district plan and the specific county review submittals to the Department. **Note-** the criteria for inclusion shall **not** include a requirement that local zoning or planning board approval(s) be obtained as a condition for inclusion within the subsequent construction or operation of any facility;
- 6) Identify the additional tonnage of recycled materials in the MSW stream (by material commodity types) required by each county to meet the mandated MSW recycling goal, a strategy for the attainment of the recycling goals as outlined above. The strategy shall include, as necessary:
  - a) the designation of the currently mandated recyclable materials and additional materials, if any, to be source separated in the residential, commercial and institutional sectors;
  - b) a listing of those entities providing recycling collection, processing and marketing services for each of the designated recyclable materials;
  - c) the communication program to be utilized to inform generators of their source separation and recycling responsibilities;
  - d) a comprehensive enforcement program that identifies the county and/or municipal entity (ies) responsible for enforcement of the recycling mandates, specifies the minimum number of recycling inspections that will be undertaken by these entities on an annual basis and detail the penalties to be imposed for non-compliance with the municipal source-separation ordinance and county solid waste management plan. Additionally, the updated district plan shall include copies of each municipal source separation ordinance.

### **Elements required pursuant to the updated Statewide Solid Waste Management Plan**

**Element:** Designation of the department, unit or committee of the county government (or district in the case of the New Jersey Meadowlands Commission) to supervise the implementation of the district plan. The submissions do not contain the required element and a subsequent submission will be required to correct this deficiency.

**Element:** Inventory of the quantity of solid waste generated within the district for the ten-year period commencing with the adoption of updated district solid waste management plan. Table One of the April 20, 2005 Plan Amendment contains the required element.

**Element:** An inventory of all solid waste and recycling facilities (lot and block and street address) including approved waste types and amounts, hours of operation and approved truck routes. Appendix F of the April 20, 2005 Plan Amendment contains the required element.

**Element:** Outline of the solid waste disposal strategy to be utilized by the district for a ten-year planning period. Section 3.1 on page 10 of the April 20, 2005 Plan Amendment contains the required element.

**Element:** Procedure for the processing of applications for inclusion of solid waste and recycling facilities within the district solid waste management plans. The December 29, 2006 Administrative Action request contains the required element.

If you have any questions relative to this action, please contact Najwa N. Ali at (609) 984-9773 or email at [Najwa.Ali@dep.state.nj.us](mailto:Najwa.Ali@dep.state.nj.us).

Sincerely,

Guy Watson, Chief  
Bureau of Recycling and Planning