



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF THE COMMISSIONER
P. O. BOX 1390
TRENTON, N. J. 08625
609-292-2885

(IN THE MATTER OF THE PROPOSED)
(SOLID WASTE MANAGEMENT PLAN)
(OF THE UNION COUNTY SOLID)
(WASTE MANAGEMENT DISTRICT)

CERTIFICATION
OF
MODIFICATION

BY ORDER OF THE COMMISSIONER:

On June 7, 1979, the Union County Board of Chosen Freeholders adopted the Union County 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 Union 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 possibilities of implementing resource recovery. 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 Union County 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 Union County 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 include an analysis of existing solid waste collection systems and transportation routes within the Solid Waste Management District and further, 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. While the Union County Solid Waste Management Plan includes a survey of the existing collector haulers, contract periods and costs by municipality, and provides costs to be incurred by long term proposals, the Plan does not include a complete analysis of existing or proposed transportation routes and costs within the District to existing or available suitable sites for solid waste facilities.

- 2) The Solid Waste Management Act requires the District Plan to inventory the sources, composition, and quantity of solid waste generation for each of the ten years following the year in which the Plan is prepared. The Plan does not totally comply with this requirement.
- 3) 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. While the Union County Plan does include various strategies for maximizing resource recovery, a detailed implementation schedule is not included.
- 4) The Solid Waste Management Act requires that each District Plan contain a plan for using terminated landfill disposal sites. While the Union County Plan details general uses of terminated landfills, the Plan does not identify a specific use for each landfill.
- 5) The Solid Waste Management Act and the guidelines and criteria adopted by the Department pursuant to the Act require the District to adopt a solid waste management strategy which includes the maximum practicable use of resource recovery, including source separation and recycling. While the Union County Plan describes methods to reduce the amount of solid waste to be disposed of, and existing municipal recycling programs, the Plan lacks a comprehensive program to maximize source separation, including the identification of specific markets and costs, the consideration of regional source separation districts and any legal, institutional or financial measures necessary to implement the program.
- 6) The Solid Waste Management Act provides that a system shall be established for uniform disposal rates within the District. The Union County Plan does not include a detailed procedure for the uniform distribution of resource recovery and disposal costs throughout the District's service area.
- 7) The Department, in its review of District Solid Waste Management Plans for the northeast, finds that certain District Plans, including Union County's, have not identified or included interdistrict agreements for 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 Union County. In light of the need for this interdistrict flow

plan, it is necessary for Union County to enter into inter-district agreements with the Hackensack Meadowlands Development Commission and Middlesex, Morris and Essex Counties. In developing its combined approach for northeastern New Jersey, the Department intends to issue an "Interdistrict Waste Flow Order" that will impact solid waste collection and disposal practices and planning in the multi-district region.

Therefore, Union County 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 set forth sufficient data and discussion to identify the existing and proposed configuration of solid waste collection and disposal operations, such that a solid waste 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) either within Union County or within another Solid Waste Management District.
- 2) The Plan shall include a schedule (including specific milestones) for the completion of indepth studies necessary for 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 means for securing agreements/contracts for markets for materials and energy (including those for source separation/recycling),
 - b) an 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 technology and sites,
 - h) determination of capacity needs and facility locations for the disposal of resource recovery residuals, for emergency backup and for non-processable wastes, and
 - i) identification of a detailed resource recovery implementation schedule.

- 3) The Plan shall include a detailed plan for the use of each terminated land disposal site within the County.
- 4) The Plan shall include a more comprehensive and implementable program for extracting the maximum practicable amount of recoverable materials via recycling, waste exchanges, and similar source separation programs.
- 5) 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 procedures for the uniform distribution of costs necessary to upgrade existing disposal facilities to meet environmental regulations.
- 6) The Plan shall include interdistrict agreements with the Hackensack Meadowlands Development Commission and Middlesex, Morris and Essex Counties for implementing that part of the "Interdistrict Waste Flow Order" impacting the Union District, in accordance with the schedule contained within the "Interdistrict Waste Flow Order." Union County shall also enter agreements with said Districts 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). Further, the Plan shall identify a strategy for increasing the efficiency of collection and transportation within the County, including a study evaluating the maximum utilization of transfer stations and implementation of "COLMIS" or a similar collection system.
- 7) Union County shall reach an agreement with the H.M.D.C. and the Counties of Middlesex, Morris and Essex on the amounts and types of wastes generated within the County and transported to either existing and/or proposed facilities within the H.M.D.C. or Middlesex, Morris and Essex County Districts, for each of the ten years addressed in the Plan. The agreed upon data shall be incorporated into Union County's report and Plan.
- 8) In addition, Union County 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.

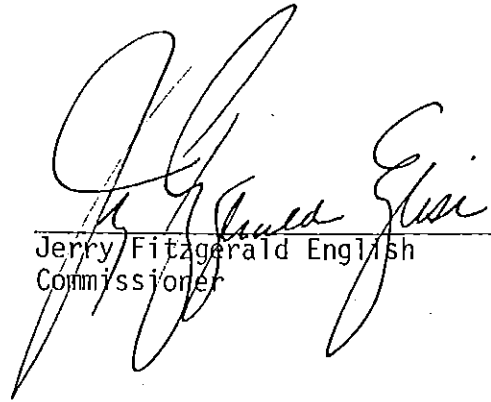
Attached as Appendix II is a list of recommended modifications to be included in the District Solid Waste Management Plan as part of the two year review required pursuant to N.J.S.A. 13:1E-20.

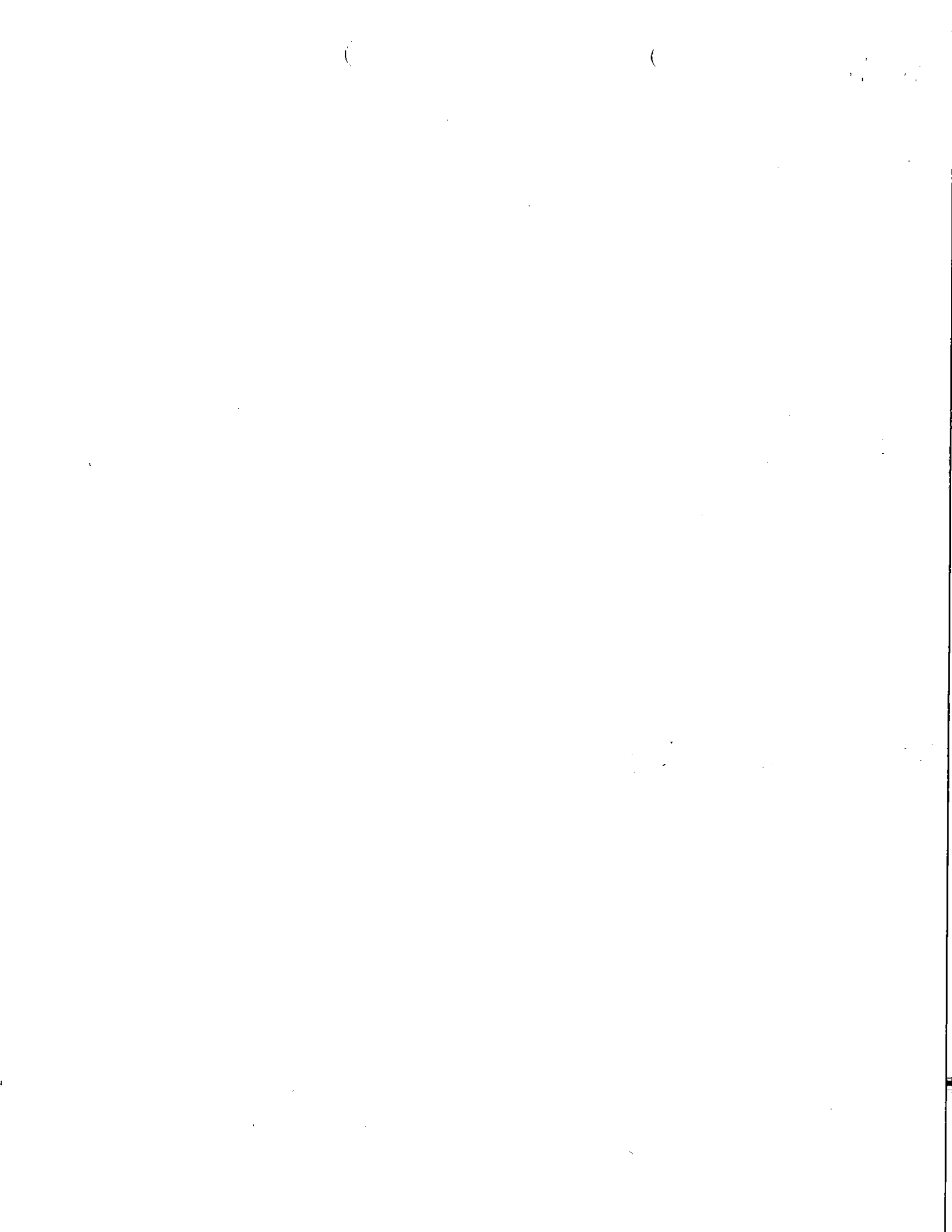
In accordance with N.J.S.A. 13:1E-24, these required modifications shall be considered major modifications of the District Plan and the District is hereby directed to conduct an additional public hearing no later than 45 days from the date of this Certification.

Following submission and review of the adopted modifications, I shall, within 30 days of submittal, certify to the Board of Chosen Freeholders 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.

5 November 1976
Date


Jerry Fitzgerald English
Commissioner



Appendix I

Additional Modifications Required by July 1, 1980

I. SOLID WASTE GENERATION

- The Plan should include an inventory by source, type, composition, and quantity of solid waste (including sludge and septage) generated within the solid waste management District in the year in which the report is prepared and each of the ten years following the report. In addition, the Plan shall include a specific timetable for the conduct of a program to more accurately define waste generation rates and composition necessary for resource recovery implementation.

II. COLLECTION AND HAUL

- The Plan did not provide a specific analysis of industrial waste generation, transportation and disposal within the County. In addition, a strategy for the maximum recovery of industrial wastes should be developed. A specific timetable for undertaking this analysis and developing a strategy shall be included.

III. SLUDGE AND SEPTAGE

- The Essex and Union Joint Meeting, and the Linden-Roselle and Rahway Valley Sewage Authorities are presently evaluating two-stage programs that are capable of terminating the ocean disposal of sludge. The first stage will involve the landfilling of significant amounts of dewatered sludge and the Union County Solid Waste Management Plan shall indicate the specific sites and methods for the disposal of this sludge. The second stage will also involve the land disposal of residuals (ash from incineration) and the District Solid Waste Management Plan shall identify specific sites and methods for the disposal of these residuals.
- The current means of sludge disposal at the Berkeley Heights treatment plant is unacceptable. Sludges utilized in home gardens must be certified for quality and guidelines for appropriate use must be established. While responsibility for this lies with the Department of Environmental Protection's Office of Sludge Management and Industrial Pretreatment, the District should be aware that alternate means of disposal may have to be considered by Berkeley Heights.
- An explanation should be provided as to why co-disposal of sludge and municipal solid waste was considered to have limited feasibility.
- The District should adopt as part of its Plan guidelines for the review of 201 sludge management plans which are no less stringent than those adopted by the Department of Environmental Protection.
- The Plan did not adequately address the treatment and disposal of septage waste. The Plan shall be modified to include specific facilities for the treatment and disposal of septage.

IV. RESOURCE RECOVERY

- The Plan shall analyze and identify that part of the waste stream which will be recovered by high and low technology resource recovery, in order to minimize costs, conserve energy and enhance environmental quality.

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. In addition, the Plan shall include documentation of the procedures Union County used for public participation in the development of its Plan. This shall include a discussion of the activities of the Union County Solid Waste Advisory Council, consultations with and input from other publics, and a discussion of the manner in which these comments were considered by the County.

VI. LANDFILLS

- The Plan shall contain a map showing the locations of all existing solid waste facilities, identified by their Department of Environmental Protection Registration Number.
- The Plan shall contain an analysis of the necessary environmental improvements at the Linden landfill.
- Due to the shortage of landfill capacities and failure to reach agreements with other Districts, the Plan shall include an evaluation of the feasibility of establishing an interim disposal facility in Union County in the shortest possible time. Such a facility can also be used as part of the ultimate resource/energy recovery undertaking. It will be needed regardless of who is going to construct the high technology facility. The feasibility study shall include an evaluation of sites and a time schedule for implementing the interim disposal facility.

VII. PLAN REVIEW AND UPDATE

- The Solid Waste Management Act requires the District Plan to contain provisions for its review by the Board of Chosen Freeholders once every two years. While the Union County Plan acknowledges this requirement and indicates that the Plan will have to be updated, no specific provisions have been made in the Plan to accomplish this. The Plan shall include specific provisions for its update.

Appendix II

Recommended Modifications for Two-Year Update of the Union County Solid Waste Management Plan

I. DATA BASE

- The Plan should contain a table showing existing land distribution (amount and percent) for single family residential, multi-family residential, commercial, industrial, public and quasi-public, conservation and recreation, and open space areas.
- The Plan should include updated census data and 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.
- Employment projections should be presented according to standard industrial classification to provide consistency with other District data. Methodologies and assumptions used in the formulation of estimates and projections should be included.

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.
- The Plan should 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 should contain an analysis of the feasibility of alternative collection practices and should 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.