

**IN THE MATTER OF CERTAIN AMENDMENTS  
TO THE ADOPTED AND APPROVED SOLID  
WASTE MANAGEMENT PLAN OF THE  
UNION COUNTY SOLID WASTE  
MANAGEMENT DISTRICT**

**CERTIFICATION  
OF THE NOVEMBER 30, 2006  
AMENDMENT TO THE UNION COUNTY 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 (now known as the New Jersey Meadowlands Commission or NJMC) develop comprehensive plans for waste management in their respective districts. On August 13, 1980, the Department of Environmental Protection (Department or DEP) approved the Union County District Solid Waste Management Plan (County 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 a 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 that 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 a ten-year period.

The Act further provides that a district may review its District Plan at any time and, if found inadequate, a new District Plan must be adopted. The Union County Board of Chosen Freeholders (County Freeholders) completed such a review and on November 30, 2006 adopted an amendment to its approved County Plan. The November 30, 2006 amendment proposes County Plan inclusion of the County Plan Update in response to the updated Statewide Solid Waste Management Plan.

The amendment was considered administratively complete for review by the Department on February 9, 2007 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 Freeholders on November 30, 2006 is approved, as provided in N.J.S.A. 13:1E-24.

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 municipal solid waste (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-sized 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 the adoption of the updated Statewide Solid Waste Management Plan or January 3, 2007, adopt and submit to the Department, an updated district solid waste plan. This district plan update shall demonstrate consistency with the State Plan. Further, the district plans 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 NJMC) 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 of applications 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 process/procedures, including time frames for county approvals or rejections and subsequent

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 district solid waste management plan, nor shall such a requirement be made a condition for subsequent construction or operation of any facility; and

- 6) Identification of 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 details 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.

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

Pursuant to N.J.S.A. 13:1E-24a(1), I have studied and reviewed the November 30, 2006 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 is consistent with the Statewide Solid Waste Management Plan. In this regard, the County Freeholders are notified of the elements of the November 30, 2006 amendment, which are included below.

In conjunction with the review of the amendment, the Department circulated copies to sixteen administrative review agencies and solicited their review and comment. Pursuant to N.J.S.A. 13:1E-24a(2) and (3), these agencies included various bureaus, divisions, and agencies within the Department. All agencies contacted are as follows:

Division of Water Quality, DEP  
 Division of Parks and Forestry, DEP  
 Division of Fish and Wildlife, DEP  
 Solid and Hazardous Waste Program, DEP  
 Green Acres Program, DEP  
 Land Use Regulation Program, DEP

Office of Local Environmental Management, DEP  
 Office of Air Quality Management, DEP  
 Bureau of Solid Waste Compliance and Enforcement, DEP  
 Department of Community Affairs  
 Department of Transportation  
 Department of Agriculture  
 Department of Health and Senior Services  
 New Jersey Turnpike Authority  
 New Jersey Advisory Council on Solid Waste Management  
 U.S. Environmental Protection Agency

### **Elements of the November 30, 2006 Amendment**

#### **Element: Designation of County Plan Implementation Agency**

The November 30, 2006 County Plan amendment reaffirms the designation of the Union County Utilities Authority as the County Plan implementation agency.

#### **Element: Inventory of the Quantity of Solid Waste Generated Within The County for the Next Ten Years**

Using the Department's waste generation data for 2004 and population projection's made by the New Jersey Department of Transportation for Union County, the County Plan includes the total tonnages of solid waste types 10, 13, 13C, 23, and 27 to be generated within the County in the years 2006 through 2016 as 539,464, 546,044, 543,952, 542,339, 549,215, 547,391, 547,394, 547,666, 547,840, 548,488 and 548,430, respectively.

#### **Element: Inventory of Solid Waste and Recycling Facilities**

The facilities listed below, and associated site locations, operating hours, capacities and acceptable waste types are identified in the November 30, 2006 amendment to the County Plan as being included in the County Plan. Instances where required information, or where information may be inconsistent with existing documents (e.g. operating permits for facilities) is not included in the County Plan are noted below.

##### **Solid Waste Facilities**

- Covanta Union, Inc. Resource Recovery Facility (RRF) – Although the November 30, 2006 amendment to the County Plan notes that truck routes exist for this and all other solid waste facilities, these routes are not specified. This deficiency must be addressed by the County.
- Waste Management of New Jersey, Inc. (Julia Street, City of Elizabeth) Transfer Station/Material Recovery Facility (TS/MRF).
- Waste Management of New Jersey, Inc. (Amboy Avenue, City of Elizabeth) TS/MRF.
- Waste Management of New Jersey, Inc. (Lower Road, City of Linden) TS/MRF.
- City of Summit TS/MRF.

- Plainfield Municipal Utilities Authority TS/MRF.
- CSX TRANSFLO Intermodal Container Facility (ICF) (York Street, City of Elizabeth).
- Safety Kleen Systems, Inc. (Sylvan Street, City of Linden) TS/MRF.
- Cycle Chem, Inc. (South First Street, City of Elizabeth).
- Merck & Co., Inc. Small-Scale Incinerator (East Lincoln Avenue, City of Linden).
- Schering-Plough Research Kenilworth Small-Scale Incinerator (Morris Avenue, Township of Union) – The County Plan does not include operating hours for this facility. This deficiency must be addressed by the County.
- G.I.B. Medical Waste Grinder (Spring Street, Borough of New Providence) – The November 30, 2006 amendment to the County Plan does not include operating hours for this facility, but does note that the facility operates 2.5 hours per day.
- Earth Care Systems, Inc. Regulated Medical Waste Treatment and Destruction Facility (Tremley Point Road, City of Linden) – Earth Care Systems, Inc. has never been issued a Solid Waste Facility Permit from the Department for this facility.

### **Recycling Centers**

#### **Class B Recycling Centers**

- Grasselli Point Industries Class B Recycling Center (Dupont Complex/Grasselli Road, City of Linden).
- Rockcrete Recycling Corporation Class B Recycling Center (Julia Street, City of Elizabeth).
- Casings of New Jersey, Inc. Class B Recycling Center (Ramsey Avenue, Township of Hillside).
- D-Wood, Inc. Class B Recycling Center (Dowd Avenue, City of Elizabeth) – D-Wood, Inc. has never been issued a General Approval from the Department for this facility.

#### **Class C Recycling Centers**

- City of Linden Compost Class C Recycling Center (Lower Road).
- Union County Conservation Class C Recycling Center (Shunpike Road, Township of Springfield).

#### **Class D Recycling Centers**

- Global Recycling Technologies Class D Recycling Center (Pinewood Street, City of Rahway) – Global Recycling Technologies has never been issued a General Approval from the Department for this facility.
- LORCO Petroleum Services Class D Recycling Center (South Front Street, City of Elizabeth).

### **Element: Solid Waste Facilities to be Deleted From The County Plan**

The November 30, 2006 District Plan amendment proposes County Plan deletion of:

- 1) BOC Group, Inc. Small-Scale Incinerator – This facility, which was to be located on Block

370, Lots 1-6 at 575 Mountain Avenue in the Borough of New Providence, was included in the County Plan through a September 28, 1989 County Plan amendment. This amendment was certified as approved by the Department on March 22, 1990. BOC Group, Inc. has never been issued a Solid Waste Facility Permit from the Department for this facility.

- 2) Elizabeth General Medical Center Small-Scale Incinerator – This facility, which was located on Block 7, Lot 312 in the City of Elizabeth, was included in the County Plan to process medical waste through a February 9, 1988 County Plan amendment. This amendment was certified as approved by the Department on August 3, 1988. This facility's Solid Waste Facility Permit was terminated on February 15, 2000 and the facility has since been dismantled.
- 3) ECDC Environmental, LLC ICF – This facility, which was to be located off of Avenue C in the City of Linden, was included in the County Plan through a January 15, 2003 request for administrative action for the receipt of a maximum of 1,200 tpd of containerized solid waste type 10. This request for administrative action was approved by the Department on March 5, 2003. ECDC Environmental, LLC has never been issued a Solid Waste Facility Permit from the Department for this facility.

### **Element: Solid Waste Disposal Strategy to be Utilized by the County for the Next Ten Years**

In response to the May 1, 1997 decision of the United States Court of Appeals for the Third Circuit which declared unconstitutional New Jersey's historic system of solid waste flow control [See Atlantic Coast Demolition and Recycling, Inc. v. Board of Chosen Freeholders of Atlantic County et al. 112 F . 3d 652 (3d Cir. 1997, cert. den., November 10, 1997)], the Union County Board of Chosen Freeholders adopted a County Plan amendment on December 17, 1997, which included the County's revised solid waste disposal strategy. The certification of this amendment by the Department on April 30, 1998 approved County Plan inclusion of the strategy to offer voluntary contracts to each of the County's twenty-one municipalities and to commercial haulers servicing Union County customers, for the disposal of solid waste types 10 and 25 at the Union County Resource Recovery Facility (UCRRF). These voluntary contracts were signed for a term of 25 years and will expire on July 15, 2023. In this certification, this portion of solid waste types 10 and 25 will hereafter be referred to as the contract waste.

On February 13, 2003, the County Board of Chosen Freeholders adopted an amendment to the County Plan which proposed County Plan inclusion of regulatory flow control over the portion of solid waste types 10 and 25 generated within the County not delivered to the UCRRF pursuant to a voluntary contract. This amendment to the County Plan was certified as approved by the Department on June 13, 2003. In this certification, this portion of solid waste types 10 and 25 will hereafter be referred to as the non-contract waste. The reader is directed to the certification of the February 13, 2003 amendment for specifics as to municipalities of origin for particular waste types, and designated disposal facilities.

The contracts awarded to AMS and Waste Management of New Jersey, Inc. were the product of an open, non-discriminatory and competitive procurement process in compliance with the provisions of the Local Public Contracts Law and will expire on June 30, 2008.

On June 17, 2004, the County Board of Chosen Freeholders adopted an amendment to the County Plan, which proposed County Plan inclusion of regulatory flow control over solid waste types 13, 13C, 23, and 27 pursuant to a nondiscriminatory procurement, and to include two

Waste Management of New Jersey, Inc. TS/MRFs, one located in the City of Linden, the other located at 625-647 South Front Street in the City of Elizabeth, as the County's designated facilities to which solid waste types 13, 13C, 23, and 27 are directed. The agreement between the UCUA and Waste Management of New Jersey, Inc. commenced on July 1, 2004 and will terminate on June 30, 2007. The June 17, 2004 amendment to the County Plan was certified as approved by the Department on October 25, 2004.

The November 30, 2006 amendment to the County Plan includes the County's strategy to manage solid waste generated within the County through the continuance of regulatory flow control, based on non-discriminatory procurement processes. The subject amendment also notes that pursuant to the Local Public Contracts Law, governmental entities are constrained to entering into contracts for services to a period not to exceed five years unless the disposal services involve some use of resource recovery technologies, which allow for a long-term contract for up to forty years to be awarded.

As the contract waste and non-contract waste generated within the County are subject to agreements which provide for the disposal of these wastes until July 2023 and July 2008, respectively, the County does not include any additional strategy for the disposal of these waste types.

As for solid waste types 13, 13C, 23, and 27, the County Board of Chosen Freeholders on February 15, 2007 adopted an amendment to the County Plan which proposes to direct these waste types to the Canadian Pacific Railway Transload Facility, located in the City of Newark for a term of not less than three years. However, on May 25, 2007, New Jersey Superior Court Judge Honorable Marianne Espinosa ruled in Waste Management of New Jersey v. Union County Utilities Authority, Docket No. UNN-L-4449-06, that the UCUA, for several reasons, was permanently enjoined from implementing the subject contract with Delaware and Hudson Railway Company, Inc. The Department is currently reviewing this County Plan amendment and pursuant to N.J.S.A. 13:1E-24(b) has 150 calendar days or until August 11, 2007 to certify the amendment.

The November 30, 2006 County Plan amendment also includes in the County Plan an exemption for the receipt of waste types 13, 13C, and 27 at existing, fully-permitted materials recovery facilities for recycling and delivery of the residue to the appropriate designated disposal facility subject to the execution of an agreement with the UCUA and the Union County Bureau of Environmental Health containing certain terms and conditions.

Lastly, the November 30, 2006 amendment to the County Plan states that the County may ultimately solicit proposals, in response to a publicly issued Request for Expressions of Interest, for alternate disposal technologies.

#### **Element: County Plan Inclusion Process**

As noted within the November 30, 2006 amendment, "to ensure consistency during the process



of inclusion in to the County Plan, the UCUA employs a standard application and fee schedule”. The reader is directed to the above noted amendment for the specifics on the application process for facility –based County Plan inclusion. Although the elements of this process are approved, it must be noted that, as per page A-7 of the updated Statewide Solid Waste Management Plan, each County Plan was to identify and include “the applicant requirements for inclusion into the district plan and the specific county review process/procedures, including time frames for county approvals or rejections and subsequent submittals to the Department”. As the November 30, 2006 amendment to the County Plan does not provide specific timelines for the County Plan inclusion process for solid waste and recycling facilities, the County is directed to address this issue as noted below in Section C. of this certification.

### **Element: Recycling**

In 2003, Union County recycled 23.6% of its MSW and 48.5% of its total solid waste (TSW). Using 2003 Department data, Union County will have to recycle an additional 141,000 tons of MSW to reach a MSW recycling rate of 50%. Since the release of the updated Statewide Solid Waste Management Plan in early 2006, the Department has determined MSW recycling rates of 26.2% and 29.1% and TSW recycling rates of 56.9% and 56.6% for Union County in 2004 and 2005, respectively.

The November 30, 2006 County Plan amendment proposed County Plan inclusion of updates to several sections of the County’s recycling strategy, including additional designated recyclable materials, updated programs, recycling initiatives, and source reduction strategies.

Designated Recyclable Materials – The November 30, 2006 amendment to the County Plan proposed County Plan inclusion of tires as a designated recyclable material for the residential sector. The following is a complete listing of the designated recyclable materials included in the County Plan for the residential sector:

Aluminum, tin, and steel	Motor oil filters
Brush	Newspaper
Corrugated cardboard	Office paper
Glass containers	Plastic containers (PET and HDPE)
Grass	Tires
Household batteries	Vehicular batteries
Leaves	White goods
Mixed paper	Wood
Motor oil	

The November 30, 2006 amendment to the County Plan proposed County Plan inclusion of computers and peripherals, masonry (asphalt, brick, block, and concrete), fluorescent bulbs, and tires as designated recyclable materials for the commercial, institutional, and industrial sectors.

The following is a complete listing of the designated recyclable materials included in the County Plan for the commercial, institutional, and industrial sectors:

Aluminum, tin and steel	Mixed paper
Asphalt roofing	Motor oil
Brush	Motor oil filters
Computers and peripherals	Newspaper
Corrugated cardboard	Office paper
Fluorescent bulbs	Plastic containers (PET and HDPE)
Glass containers	Tires
Grass	Vehicular batteries
Household batteries	White goods
Leaves	Wood
Masonry (asphalt, brick, block, and concrete)	

Updated Programs – the County through the November 30, 2006 County Plan amendment proposes County Plan inclusion of several new programs. These include recycling programs aimed at increasing the recycling of traditional recyclables and also less traditional recyclables including consumer electronics, household hazardous waste, tires, household batteries, used motor oil and oil filters, and propane tanks.

Recycling Initiatives – the County through the November 30, 2006 County Plan amendment proposes County Plan inclusion of its strategy to attain a recycling rate of 50% MSW. Specifically, the County proposes to increase the amount of recycling of currently designated recyclables through increased education in the residential, commercial, and institutional sectors.

Source Reduction Strategies – the County through the November 30, 2006 County Plan amendment proposes County Plan inclusion of its plan to improve current recycling efforts of fluorescent bulbs, continue and expand the mercury thermometer exchange program, revive educational efforts on composting and the “Cut It and Leave It” Program for grass.

Enforcement – the County through the November 30, 2006 County Plan amendment proposes County Plan inclusion of the Union County Bureau of Environmental Health (UCBEH) as the lead agency for enforcement at all solid waste and recycling facilities in the County. The County Plan also specifies that the UCBEH will conduct fifty recycling survey questionnaires of non-residential establishments subject to environmental compliance inspections per year and that these questionnaires will serve as a reference point for possible enforcement actions against establishments that are found not to be compliant with the County Plan.

The Division of County Environmental and Waste Enforcement (DCEWE) submitted comments regarding the proposed enforcement component of the November 30, 2006 County Plan amendment. The DCEWE’s comments note firstly that pursuant to their CEHA contract, the County is supposed to inspect exempt compost sites and convenience centers twice per year, not annually, as the County Plan reads. In addition, the DCEWE notes that the County Plan does not include mandatory penalties for those found to be in noncompliance with the County Plan. This comment was also echoed by the Bureau of Recycling and Planning.

Although the Department does not question the County's commitment to recycling, the Department's data indicates that Union County's MSW recycling rate is below the statewide average and well below the statutory minimum. As a planning aid to the counties, the State constructed and published in the Statewide Solid Waste Management Plan, Table B-1, which highlights the additional tonnage of material each county must recycle in order to reach a MSW recycling rate of 50%. However, the November 30, 2006 amendment to the County Plan does not identify the means by which the County will recycle the additional 141,000 tons of material, cited in Table B-1, required for the County to reach a 50% MSW recycling rate going forward. The County is therefore directed to address this issue as noted below in Section C. of this certification.

**C. Certification of the Union 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 county solid waste management plans, I have reviewed the November 30, 2006 amendment to the approved County Plan and certify to the County Freeholders that the November 30, 2006 amendment is approved.

The County Plan inclusion of the November 30, 2006 County Plan Update In Response to the updated Statewide Solid Waste Management Plan is approved; however, the County must submit a County Plan amendment to address the deficiencies noted in Section B. of this certification within 180 days of the date of this approval. The County may submit the required amendment as an administrative action, pursuant to N.J.A.C. 7:26-6.11 et seq. Please note that the Department is requiring the County to meld the submissions in response to the requirements contained in the State Plan update, as identified above, into one unified document for the purpose of general circulation.

**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 this amendment to the County 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 and operating pursuant to a contract as herein described, shall be deemed to be in violation of this amendment and of the County 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, and for good cause shown, obtain an extension of time to complete such renegotiation.

**2. Compliance**

All solid waste facility operators and transporters registered with the Department and operating within the County and affected by the amendment contained herein shall operate in compliance with this amendment and all other approved provisions of the County Plan. Any facility operator or transporter 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 and shall be subject to the provisions and penalties of N.J.S.A. 13:1E-9 and 12 and all other applicable laws.

**3. Types of Solid Wastes Covered by the County Plan**

The provisions of the County 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 including waste types 10, 13, 23, 25, and 27 and all applicable subcategories and shall not apply to liquid and hazardous wastes. All nonhazardous materials separated at the point of generation for sale or reuse are subject to regulation in accordance with N.J.A.C. 7:26A-1 et seq.

**4. Certification to Proceed with Implementation of Amendment**

This document shall serve as the certification of the Commissioner of the Department to the County Freeholders and pursuant to N.J.S.A. 13:1E-24c. and f., the County Freeholders shall proceed with the implementation of the approved components of the amendment certified 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 -99.12, N.J.A.C. 7:26-1.4, -2.13, and N.J.A.C. 7:26A-1.3.

**6. Effective Date of Amendment**

The approved components of the amendment to the County 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 pursuant to its authority under the law. The County Plan, including any amendment made thereto, shall conform with the Statewide Solid Waste Management Plan, with appendices, which includes the Department's planning guidelines, rules, regulations, orders of the Department, 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 Union County District Solid Waste Management Plan which was adopted by the Union County Board of Chosen Freeholders on November 30, 2006.

June 29, 2007

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Date

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Lisa P. Jackson, Commissioner  
Department of Environmental Protection