



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

(IN THE MATTER OF CERTAIN AMENDMENTS) CERTIFICATION OF APPROVAL WITH MODIFICATION  
 (TO THE ADOPTED AND APPROVED SOLID ) OF THE APRIL 11, 1985 AMENDMENT  
 (WASTE MANAGEMENT PLAN OF THE CAMDEN) TO THE CAMDEN COUNTY DISTRICT  
 (COUNTY SOLID WASTE MANAGEMENT ) SOLID WASTE MANAGEMENT PLAN  
 (DISTRICT )

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 September 26, 1980, the Department approved, with modification, the Camden County 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 Camden County Board of Chosen Freeholders completed such a review and on April 11, 1985, adopted an amendment to its approved District Solid Waste Management Plan. The amendment was received by the Department of Environmental Protection on April 22, 1985 and copies were distributed to various state level agencies for review and comment, as required by law.

The Department has reviewed this amendment, as well as the entire Camden County District Solid Waste Management Plan, and has determined that the amendment adopted by the Camden County Board of Chosen Freeholders on April 11, 1985 is approved as provided in N.J.S.A. 13:1E-24. However, given the uncertainty surrounding Camden County's efforts to obtain the necessary Waivers of Strict Compliance of the Pinelands Comprehensive Management Plan, the Camden County District Solid Waste Management Plan continues to be deficient with respect to its lack of sufficient additional available suitable solid waste disposal sites.

B. Certification of the Camden County 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 plan, have reviewed the April 11, 1985 amendment to the approved Camden County District Solid Waste Management Plan and certify to the Camden County Board of Chosen Freeholders that the April 11, 1985 amendment is approved as further specified below.

1. The inclusion within the plan of a vertical expansion of the Winslow Township Landfill, located on Block 8802, Lot 1, Block 9101, Lots 1 and 2 and Block 9102, Lot 1, which has been designated by the Camden freeholders as the disposal site for all solid waste from those communities located in Camden County that currently utilize disposal facilities in Gloucester County, is approved, subject to the issuance of all necessary Waivers of Strict Compliance with the requirements of Section 6-704 of the Pinelands Comprehensive Management Plan. Also, the construction of any facilities at this site shall be preceded by the obtainment of all necessary permits and approvals under N.J.S.A. 13:1E-1 et seq. and all other applicable laws. 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. Construction and/or operating permits may not be issued until the Waivers of Strict Compliance of the Pinelands Comprehensive Management Plan have been issued pursuant to N.J.S.A. 13:18A-10c. The initial rejection of Camden County's application for the necessary Waivers of Strict Compliance of the Pinelands Comprehensive Management Plan has been appealed. The ultimate disposition of the proposed site's conformance with the Pinelands Plan rests properly with the Pinelands Commission as modified by the terms such an appeal may afford. I find that the Camden County Solid Waste Management Plan continues to be deficient with respect to its lack of sufficient additional available suitable solid waste disposal sites.

2. The proposed waste flows as identified in Amendment 29-4-85 are approved and hereby made an approved part of the Camden County District Solid Waste Management Plan subject to the approval of the proposed expansion of the Winslow Township Sanitary Landfill. Final disposition of such proposed changes in the state waste flow rules will be determined pursuant to formal rule making by the Department and the Board of Public Utilities in accordance with N.J.A.C. 7:26-6.6.

C. 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 Camden County 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 Camden County 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 Camden County and affected by the amendment contained herein shall operate in compliance with this amendment and all other approved provisions of the Camden County 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 Camden County 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) which are part of the Camden County District Solid Waste Management Plan.

4. Certification to Proceed with the Implementation of the Plan Amendment

This document shall serve as the Certification of the Commissioner of the Department of Environmental Protection to the Camden County Board of Chosen Freeholders, as provided for by N.J.S.A. 13:1E-24f., to 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 amendments to the Camden County District Solid Waste Management Plan contained herein shall take effect immediately.

7. Reservation of Authority

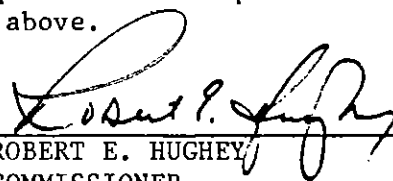
Nothing contained herein shall be construed as a limitation on any other action taken by the Department of Environmental Protection pursuant to its authority under the law. The Camden County District Solid Waste Management Plan, including any amendment made thereto, shall conform with the Statewide Solid 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.

D. 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 B of this Certification, to the Camden County District Solid Waste Management Plan, which was adopted by the Camden County Board of Chosen Freeholders on April 11, 1985.

In accordance with N.J.S.A. 13:1E-24, I am directing the Camden County Board of Chosen Freeholders to proceed to expeditiously resolve the deficiencies in its Plan identified above.

7/11/85  
DATE

  
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ROBERT E. HUGHEY  
COMMISSIONER  
DEPARTMENT OF ENVIRONMENTAL PROTECTION