



## State of New Jersey

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

**CERTIFICATION  
OF THE OCTOBER 24, 1996  
AMENDMENT TO THE CAMDEN COUNTY  
DISTRICT 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 develop comprehensive plans for waste management in their respective districts. On September 26, 1980, the Department of Environmental Protection (Department or DEP) approved, with modifications, the Camden 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 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 a 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 County Plan at any time and, if found inadequate, a new County Plan must be adopted. The Camden County Board of Chosen Freeholders (County Freeholders) completed such a review and on October 24, 1996, adopted an amendment to its approved County Plan.

The amendment (Amendment 79-9-96) adds a block/lot to the existing W. Hargrove Recycling, Inc. recycling center for Class B materials located in the City of Camden, Camden County. This expansion will have no effect on the types or amounts of materials currently accepted at the site.

The amendment was received by the Department on November 25, 1996, 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 October 24, 1996 is approved as provided in N.J.S.A. 13:1E-24.

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

Pursuant to N.J.S.A. 13:1E-24a(1), I have studied and reviewed the October 24, 1996 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 this plan amendment is consistent with the Statewide Solid Waste Management Plan. In this regard, the County Freeholders and the applicant are notified of the issue of concern concerning the October 24, 1996 amendment which is included within Section B.2. 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, Game and Wildlife, DEP  
Division of Enforcement, DEP  
Division of Solid and Hazardous Waste, DEP  
Office of Air Quality Management, DEP  
Green Acres Program, DEP  
Land Use Regulation Element, DEP  
New Jersey Turnpike Authority  
Department of Agriculture  
Department of Health  
Department of Transportation  
Department of Community Affairs  
U.S. Environmental Protection Agency

New Jersey Advisory Council on Solid Waste Management  
Pinelands Commission

**1. Agency Participation in the Review of the October 24, 1996 Amendment**

The following agencies did not object to the proposed amendment:

Division of Parks and Forestry, DEP  
Division of Enforcement, DEP  
Division of Fish, Game and Wildlife, DEP  
Green Acres Program, DEP  
Department of Agriculture  
Department of Community Affairs  
Pinelands Commission  
New Jersey Turnpike Authority  
New Jersey Advisory Council on Solid Waste Management

The following agencies did not respond to our requests for comment:

Division of Water Quality, DEP  
Office of Air Quality Management, DEP  
Land Use Regulation Element, DEP  
Department of Health  
Department of Transportation  
U.S. Environmental Protection Agency

The following agency provided substantive comments as shown in Section B. of the certification document:

Division of Solid and Hazardous Waste, DEP

**2. Issue of Concern Regarding the October 24 1996 Amendment**

**Issue: Historical Background**

W. Hargrove Recycling, Inc. was initially included within the County Plan in an amendment (Amendment 68-1-93) dated February 18, 1993. The Department certified this amendment on June 18, 1993. Within that certification W. Hargrove was approved to recycle concrete, brick, and block with no specified capacity. On August 1, 1994 the Department issued an approval to W. Hargrove to operate a recycling center for Class B materials with a specified capacity of 1,600 tons per day. The amendment adopted on October 24, 1996 indicates that the addition of a parcel of land will not effect the types or amounts of Class B materials currently accepted at this facility. Finally, as noted within Section C. of this certification, the proposed expansion of the W. Hargrove Recycling, Inc. recycling center will require the issuance by the Department of a modification to its August 1, 1994 approval to operate a recycling center for Class B materials.

C. Certification of the Camden 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 October 24, 1996 amendment to the approved County Plan and certify to the County Freeholders that the October 24, 1996 amendment is approved as further specified below.

The County Plan inclusion of the expansion of the existing W. Hargrove Recycling, Inc. recycling center for Class B materials to include an additional block/lot is approved. Specifically, the addition of Block 817, Lot 1 to the existing Class B operation located on Block 817, Lot 1.01 in Camden City, Camden County is approved. Also, the expansion of this site will have no effect on the types or amounts of materials currently accepted at this facility.

This certification shall not be construed as an expression of the Department's intent to issue a recycling center approval modification to any recycling center for Class B recyclable materials. A recycling center approval shall only be granted where the applicant has submitted an administratively complete application, as per N.J.A.C. 7:26A-3.5, where all substantive criteria for approval set forth in N.J.A.C. 7:26A-3.2, 3.3, and 3.4 are satisfied, where a fee has been paid in accordance with N.J.A.C. 7:26A-2, and where none of the criteria for denial of a recycling center approval are met, as per N.J.A.C. 7:26A-11 and 12.

Pursuant to N.J.A.C. 7:26A-4.1(a)1.iii., Class A recyclable materials may only be commingled with other Class A recyclable materials. Class B recyclable materials may only be commingled with other Class B recyclable materials and only to the extent authorized in the general approval.

Any residue generated as a result of the operation of this recycling center shall be disposed of pursuant to the County Plan and the Interdistrict and Intradistrict Solid Waste Flow Rules (N.J.A.C. 7:26-6 et seq.).

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 District Solid Waste Management 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 and shall not apply to liquid waste, sewage sludge, septage, and hazardous waste. All nonhazardous materials separated at the point of generation for sale or reuse and all construction and demolition waste classified as Type 13C are excluded from the waste flows designated in the Interdistrict and Intradistrict Solid Waste Flow Rules set forth at N.J.A.C. 7:26-6, but are subject to regulation in accordance with N.J.A.C. 7:26A-1 et seq.

**4. Certification to Proceed with the Implementation of the Plan 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 shall proceed with the implementation of the approved 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 the Amendment**

The amendment to the County Plan contained herein shall take effect immediately.

**7. Reservation of Authority**

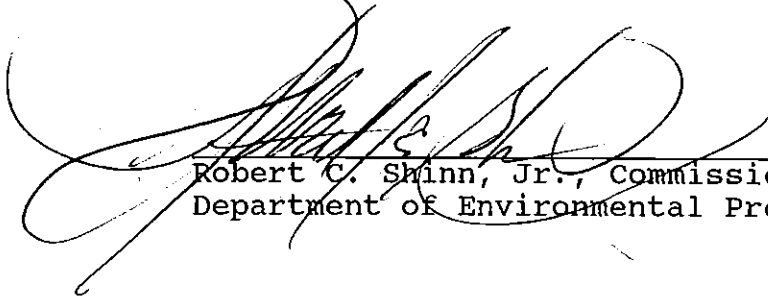
Nothing contained herein shall be construed as a limitation on any other action taken by the Department pursuant to its authority under the law. The County Plan, including any amendment made thereto, shall conform with the Statewide Solid Waste Management Plan, with appendices, which includes the Department's planning guidelines, rules, regulations, orders of the DEP, interdistrict and intradistrict waste flow rules, 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 Camden County District Solid Waste Management Plan which was adopted by the Camden County Board of Chosen Freeholders on October 24, 1996.

Date

2/6/96

  
Robert C. Shinn, Jr., Commissioner  
Department of Environmental Protection