



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

(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 APPROVAL
OF THE OCTOBER 25, 1984 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 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 October 25, 1984, adopted an amendment to its approved District Solid Waste Management Plan. The amendment was received by the Department of Environmental Protection on November 2, 1984 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 October 25, 1984 is approved as provided in N.J.S.A. 13:1E-24. While the requirements of the Act concerning the report have been met, the District's Plan remains deficient as noted below.

B. Certification of 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 October 25, 1984 amendment to the approved Camden County District Solid Waste Management Plan and certify to the Camden County Board of Chosen Freeholders that the October 25, 1984 amendment is approved as further specified below.

The interdistrict waste flow agreement with Gloucester County which was entered on October 25, 1984 by the Freeholders of Camden County and on April 4, 1984 by the Freeholders of Gloucester County, is approved for inclusion in the Camden County Plan. This agreement provides for disposal of solid waste generated from those Camden County communities identified in N.J.A.C. 7:26-6.5(h)5(i),(ii) and (iii) at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County for a period of eighteen (18) months, which commenced on January 1, 1984.

The Department has reviewed the entire Camden County District Solid Waste Management Plan, including this amendment, to determine whether the Plan fulfills the requirements set forth in N.J.S.A. 13:1E-21. The result of that review is as follows:

1. N.J.S.A. 13:1E-21b.(1) requires the designation of a department, unit, or committee of County government ... to supervise the implementation of the County's Solid Waste Management Plan.

Camden County has complied with the requirements of N.J.S.A. 13:1E-21b.(1) and the Camden County Department of Policy and Planning, Division of Solid Waste Management, is the approved solid waste implementation agency in Camden County to carry out implementation of the approved Camden County Solid Waste Management Plan. In response to the County Environmental Health Act (N.J.S.A. 26:2A3-21), the Camden County Health Department cooperates with the Camden County Division of Solid Waste Management in the planning and implementation of the County's regulation of solid waste disposal operations.

2. N.J.S.A. 13:1E-21b.(2) requires a statement of the solid waste disposal strategy to be applied ... which strategy shall include the maximum practicable use of resource recovery procedures and a plan for using terminated landfill disposal sites ... in the Solid Waste Management District.

Camden County has developed a solid waste disposal strategy which will utilize landfilling and low and high technology resource recovery. The strategy provides for public participation and recycling/source separation programs.

The County has developed a plan for utilizing terminated landfill disposal sites. Camden County is in compliance with the requirements of N.J.S.A. 13:1E-21b(2). Therefore, this section of the Camden County District Solid Waste Management Plan remains approved.

3. N.J.S.A. 13:1E-21b.(3) requires a site plan which shall include all existing solid waste disposal facilities located within the Solid Waste Management District ... and sufficient additional available suitable sites to provide solid waste facilities to treat and dispose of the actual and projected amounts of solid waste contained in the report accompanying the Plan.

Camden County has failed to comply with the requirements of N.J.S.A. 13:1E-21b(3).

The October 5, 1982 Certification of Approval of Amendments to the Camden County District Solid Waste Management Plan noted that Camden County had not identified and designated sufficient existing or additional disposal capacity to meet the County's solid waste disposal needs through 1990. Camden County was directed to correct this deficiency. To date, Camden County has not addressed this deficiency and the Plan remains deficient in that sufficient available suitable sites have not been designated.

4. N.J.S.A. 13:1E-21b(4) requires a survey of proposed collection districts and transportation routes with projected transportation costs from collection districts to existing or available suitable sites for solid waste disposal facilities.

Camden County has complied with the requirements of N.J.S.A. 13:1E-21b(4) and this section of the Camden County District Solid Waste Management Plan remains approved. However, Camden County will have to undertake additional studies regarding transportation routes/costs for new facilities.

5. N.J.S.A. 13:1E-21b(5) requires procedures for coordinating all activities related to the collection and disposal . . . within the Solid Waste Management District, which procedures shall include the agreements entered into as provided herein between the Board of Chosen Freeholders . . . any every such person, and the procedures for furnishing the solid waste facilities contained in the Solid Waste Management Plan.

Camden County has complied with the requirements of N.J.S.A. 13:1E-21b(5) and this section of the Plan is approved as noted above.

6. N.J.S.A. 13:1E-21b(6) requires a method or methods of financing solid waste management in the Solid Waste Management District pursuant to the Solid Waste Management Plan.

Camden County has complied with the requirements of N.J.S.A. 13:1E-21b(6) and this section of the plan remains approved. However, as details of financing newly planned facilities are determined, amendments to the County Plan will be required.

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 show, 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 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

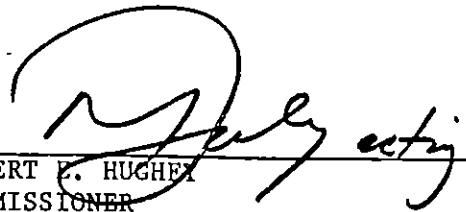
The approved amendment to the Camden County District Solid Waste Management Plan contained herein shall take effect immediately.

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 and Notification of Deficiencies 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 October 25, 1984 and further direct the Camden County Freeholders to remedy the deficiency outlined in Section B of this Certification as soon as possible.


ROBERT P. HUGHES
COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL PROTECTION

March 29, 1985
DATE