



State of New Jersey

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CERTIFICATION OF THE DECEMBER 15, 2016 AMENDMENT TO THE CAMDEN COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN

BY ORDER OF THE COMMISSIONER:

A. Introduction

The New Jersey Solid Waste Management Act (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 (previously known as the New Jersey Meadowlands Commission, and now known as New Jersey Sports and Exposition Authority or NJSEA) develop comprehensive plans for waste management in their respective districts. On July 17, 1980, the Department of Environmental Protection (Department or DEP) approved with modifications the Camden County District Solid Waste Management Plan (County Plan).

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 December 15, 2016 adopted an Amendment to its approved County Plan.

The December 15, 2016 Amendment 96-12-16 (Amendment) proposes County Plan inclusion of the Pennsauken Sanitary Landfill's (PSL) Phases VII through X- Valley Fill & NW Perimeter Mechanically Stabilized Earthen (MSE) Berm Expansions, allowing for the demolition of existing structures in the "valley" section of the landfill and the phased filling of the area with solid waste and the construction of a MSE berm along the NW perimeter of the landfill. All areas would be filled to a height of 160 feet. Based on an annual average of 80,000 tons of waste disposed, these expansion phases will add a total of 6,210,000 tons or 77.6 years of additional landfilling capacity to the PSL, with no additional lands being acquired. The landfill is located at 9600 River Road, Pennsauken, NJ (Block 1904, Lots 1, 1.01, 1.02, 1.03, 1.04, 2, 2.01, 2.02, 3 and 4), and permitted to accept waste types 10, 13, 13C, 23, 25, and 27.

The Amendment was received on January 23, 2017 and considered administratively complete for review by the Department on January 23, 2017 and copies were distributed to various administrative review agencies for review and comment as required by law. The Department has reviewed the Amendment and has determined that the Amendment adopted by the Freeholders on December 15, 2016 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 96-12-16

Pursuant to N.J.S.A. 13:1E-24a(1), I have studied and reviewed the December 15, 2016 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 relative to the December 15, 2016 Amendment, which are included below.

Elements of the December 15, 2016 Amendment 96-12-16

Element: Historical Background of the Pennsauken Sanitary Landfill

The PSL was initially included in the County Plan via plan amendment dated October 5, 1982. The plan amendment included the Pennsauken Sanitary Landfill, in Pennsauken Township, as a solid waste facility. The amendment was certified as approved by the Department on April 27, 1983.

On April 17, 1984, the Freeholders adopted a plan amendment to the County Plan to include the landfill expansion and proposed waste flows of the PSL, located on Block S-250, Lots 2A and 4B. The amendment was certified as approved by the Department on September 21, 1984.

On December 5, 1991, the Freeholders adopted a plan amendment to the County Plan to include the designation of the PSL for disposal of ash residue, and out-of-state disposal for ash residue, bypass and non-processible waste. The amendment was certified as approved by the Department on May 19, 1992.

A December 19, 1996 plan amendment, among other items included the re-designation of the block and lot numbers within Pennsauken Township, Camden County. Specifically, the PSL site now comprises Block 1904, Lots 1, 1.01, 1.02, 1.03, 1.04, 2, 2.01, 2.02, and 3 as identified on the tax maps of Pennsauken Township, Camden County. The amendment was considered approved when the 150-day deadline for certification expired.

On December 3, 2002, the Freeholders requested the Department issue an Administrative Action approval to amend the County Plan to include Block 1904, Lot 4 as part of the existing PSL, located in Pennsauken, Township. Lot 4 was inadvertently omitted by the County from the December 19, 1996 County Plan Amendment. The Department approved the request on January 8, 2003.

A September 27, 2007 Plan Amendment proposed County Plan inclusion of Response to the Statewide Solid Waste Management Plan (SSWMP) and the Pollution Control Financing Authority of Camden County (PCFACC) Landfill. The amendment was certified as approved by the Department on March 5, 2008.

On March 11, 2010, the Department approved a January 20, 2010 request for administrative action to the County Plan. The subject request for administrative action to the County Plan proposed County Plan inclusion to modify deficiencies noted in Response to the SSWMP, as it specifically relates to the PCFACC's PSL, located on Block 1904, Lots 1, 1.01, 1.02, 1.03, 1.04, 2, 2.01, 2.02, 3, and 4.

The December 15, 2016 Amendment 96-12-16 proposes County Plan inclusion of the PSL's Phases VII through X- Valley Fill & NW Perimeter MSE Berm Expansion, allowing for the demolition of existing structures in the "valley" section of the landfill and the phased filling of the area with solid waste and the construction of a MSE berm along the NW perimeter of the landfill. All areas would be filled to a height of 160 feet. Based on an annual average of 80,000 tons of waste disposed, these expansion phases will add a total of 6,210,000 tons or 77.6 years of additional landfilling capacity to the PSL, with no additional lands being acquired.

Element: Regulatory Requirements

The December 15, 2016 Amendment 96 -12-16 to the County Plan calls for the demolition of existing structures in the "valley" section of the landfill and the phased filling of the area with solid waste and the construction of a MSE berm along the NW perimeter of the landfill, of a height of 160 feet. The Phase totals are as follows:

Phase VII	Valley Fill (Phase 1)	IPF Building	1,350,000 tons	16.9 years
Phase VIII	Valley Fill (Phase 2)	Garage/Office Building	640,000 tons	8.0 years
Phase IX	Valley Fill (Phase 3)	Stockpile Area	2,370,000 tons	29.6 years
Phase X	MSE Berm	NW Perimeter	1,850,000 tons	23.1 years

Prior to the commencement of said expansion, a modification to PSL's SWF Permit is required pursuant to N.J.A.C. 7:26-2.6 et seq.

Solid waste facilities are subject to the provisions of N.J.A.C. 7:27-5, "Prohibition of Air Pollution." This subchapter of regulations prohibits the release of odors and other air contaminants which interfere with the enjoyment of life and property. In addition, the owner or operator of a solid waste facility requires an air quality preconstruction permit and operating certificate in accordance with N.J.A.C. 7:27-8.2.

Finally, if any operation of a solid waste facility will discharge pollutants as defined in N.J.A.C. 7:14A-1.2, the owner or operator of that solid waste facility must secure a New Jersey Pollutant Discharge Elimination System Permit pursuant to N.J.A.C. 7:14A-2.4(b)4. Additionally, as per N.J.A.C. 7:14A-22.3(a)2, if the owner or operator of a solid waste facility will, as part of its operation, build, install, modify, or operate any sewer line, pumping station, or force main which serves more than two buildings or is for the conveyance of 8,000 gallons per day or more of wastewater, a Treatment Works Approval would have to be obtained from the Department prior to construction.

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 County Solid Waste Management Plans, I have reviewed the December 15, 2016 Amendment 96-12-16 to the approved County Plan and certify to the Freeholders that the December 15, 2016 Amendment is approved as specified below.

The County Plan inclusion of the PSL's Phases VII through X- Valley Fill & NW Perimeter MSE Berm Expansions, is approved.

This Certification shall not be construed as an expression of the Department's intent to issue a solid waste facility permit or permit modification for any proposed facility or operation.

The construction or operation of any solid waste facility shall be preceded by the acquisition of all necessary permits and approvals pursuant to N.J.S.A. 13:1E-1 et seq., and all other applicable laws. The issuance of operating permits pursuant to the Solid Waste Management Act is limited to those applicants found by the DEP and the Attorney General of the State of New Jersey to be deserving of licensing under the provisions of N.J.S.A. 13:1E-126.

D. Other Provisions Affecting the Plan Amendment

1. 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.

2. Certification to Proceed with Implementation of Amendment

This document shall serve as the Certification of the Commissioner of the Department to the Freeholders and pursuant to N.J.S.A. 13:1E-24c. and f., the Freeholders shall proceed with the implementation of the approved components of the Amendment certified herein.

3. 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.

4. Effective Date of Amendment

The approved elements of the Amendment to the County Plan contained herein shall take effect immediately.

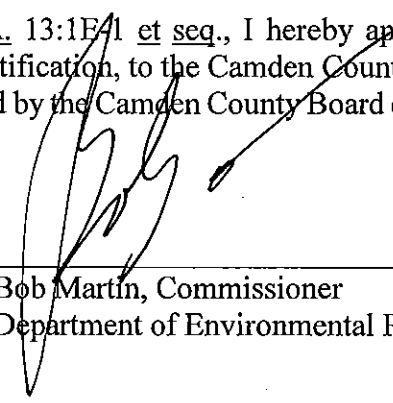
5. Reservation of Authority

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 to 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 County 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 December 15, 2016.

6/20/2017
Date



Bob Martin, Commissioner
Department of Environmental Protection