



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF THE COMMISSIONER
P. O. BOX 1390
TRENTON, N. J. 08625
609-292-2885

(IN THE MATTER OF THE PROPOSED)
(SOLID WASTE MANAGEMENT PLAN)
(OF THE HUDSON COUNTY SOLID)
(WASTE MANAGEMENT DISTRICT)

CERTIFICATION
OF
MODIFICATION

BY ORDER OF THE COMMISSIONER:

On April 26, 1979, the Hudson County Board of Chosen Freeholders adopted the Hudson County Solid Waste Management Plan pursuant to the Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.).

The Department of Environmental Protection has studied and reviewed the Plan in accordance with this Legislation. The review process, established by the Solid Waste Administration in an April, 1979 Policy Memorandum entitled "Policy and Procedures for Review of District Solid Waste Management Plans", was used to evaluate the Hudson Solid Waste Management Plan. This process was designed to incorporate both State level and public comments into the review. Generally, State agencies evaluated the Plan with regard to its impact on the State solid waste management program and their own programs, and provided advice within their own specialized areas of expertise. Public comments centered mostly on environmental concerns. Additionally, the State has reviewed the Plan to ascertain whether there is sufficient clarity of facts and recommendations to permit program implementation.

Based on the results of this review and evaluation, it is my determination that the Hudson County Solid Waste Management Plan be granted a Certification of Modification at this time, requiring satisfactory completion of the modifications listed herein.

The Department, as a result of its review of the Hudson County District Solid Waste Management Plan, and in accordance with the Solid Waste Management Act, has made the following findings and conclusions:

- 1) The Solid Waste Management Act requires each District to include an analysis of existing solid waste collection systems and transportation routes within the Solid Waste Management District and further, to make a survey of proposed collection districts and transportation routes, and to project the transportation costs from collection districts to existing and designated solid waste facilities. While the Hudson County Solid Waste Management Plan includes a survey of the existing collector haulers, contract periods and costs by municipality, and provides costs to be incurred by long term proposals, the Plan does not include an analysis of existing or proposed transportation routes and costs within the District to existing or available suitable sites for solid waste facilities.

- 2) The Solid Waste Management Act requires the District Plan to inventory the sources, composition, and quantity of solid waste generation. In addition, the Plan should include a program for obtaining the more accurate data necessary for resource recovery implementation.
- 3) The Solid Waste Management Act requires the District Plan to include a solid waste disposal strategy which includes the maximum practicable use of resource recovery. While the Hudson County Plan does include various strategies for maximizing resource recovery, a detailed implementation schedule is not included.
- 4) The Solid Waste Management Act requires that each District Plan contain a plan for using terminated landfill disposal sites. The Hudson County Plan does not contain such a plan.
- 5) The Solid Waste Management Act and the guidelines and criteria adopted by the Department pursuant to the Act require the District to adopt a solid waste management strategy which includes the maximum practicable use of resource recovery, including source separation and recycling. While the Hudson County Plan proposes a 15% reduction in solid waste disposal as a result of a combination of source separation and intermediate processing of materials recovered from municipal, commercial and industrial refuse, the Plan lacks a comprehensive program to maximize source separation, including the identification of markets and costs, the consideration of regional source separation districts and any legal, institutional or financial measures necessary to implement the program.
- 6) The Solid Waste Management Act provides that a system shall be established for uniform disposal rates within the District. The Hudson County Plan does not include a detailed procedure for the uniform distribution of resource recovery and disposal costs throughout the District's service area.
- 7) The Department, in its review of District Solid Waste Management Plans for the northeast, finds that certain District Plans have not identified sufficient existing or available, suitable sites to treat or dispose of their own wastes either in the short or long term, or both. Districts have not entered interdistrict agreements with one another for the transportation of wastes across District boundaries. The Department finds that such interdistrict waste flow is necessary, and should be part of a comprehensive plan for solid waste management in northeastern New Jersey.

In the absence of such a comprehensive plan, it has become necessary for the Department to develop a combined approach which will impact, to varying degrees, many Districts, including Hudson County. In light of the need for this interdistrict flow plan, it is necessary for Hudson County to enter into interdistrict agreements with the Hackensack Meadowlands Development Commission and Essex County. In developing its combined approach

for northeastern New Jersey, the Department intends to issue an "Interdistrict Waste Flow Order" that will impact solid waste collection and disposal practices and planning in the multi-district region.

Therefore, Hudson County is hereby directed to make the following modifications to its adopted District Solid Waste Management Plan no later than July 1, 1980:

- 1) The Plan shall set forth sufficient data and discussion to identify the existing and proposed configuration of solid waste collection and disposal operations, such that a solid waste franchise system can be developed. This shall include a waste flow diagram, for each type of waste, which shows the existing and proposed flow of solid waste for the ten year planning period from each municipality (source) to a specific processing and/or disposal facility (destination).
- 2) The Plan shall include a schedule (including specific milestones) for the completion of indepth studies necessary for resource recovery implementation and an indication of who will undertake the studies, an estimate of their cost, and how the studies will be funded. The studies shall include, as a minimum, the following:
 - a) the means for securing agreements/contracts for markets for materials and energy (including those for source separation/recycling),
 - b) an assessment of available resource recovery technology (including co-disposal) and an evaluation of cost/benefits,
 - c) determination of specific facility site(s), including lot and block numbers,
 - d) collection of more reliable solid waste generation and composition data and justification for facility capacity,
 - e) identification of legal and institutional constraints and solutions thereto,
 - f) projections of both capital and operating costs and the method of financing them,
 - g) environmental assessment of technology and sites, and
 - h) determination of capacity needs for the disposal of resource recovery residuals, for emergency backup and for non-processable wastes.
- 3) The Plan shall include a detailed plan for the use of terminated land disposal sites.
- 4) The Plan shall include a more comprehensive program for extracting the maximum practicable amount of recoverable materials via recycling, waste exchanges, and similar source separation programs.

- 5) The Plan shall include a more detailed procedure for the uniform distribution of resource recovery and disposal costs throughout the District's service area. This plan shall include any costs necessary to upgrade existing disposal facilities to meet environmental regulations.
- 6) The Plan shall include interdistrict agreements with the Hackensack Meadowlands Development Commission and Essex County for implementing that part of the "Interdistrict Waste Flow Order" impacting the Hudson District, in accordance with the schedule contained within the "Interdistrict Waste Flow Order." Hudson County shall also enter agreements with said Districts setting forth the necessary procedures for coordinating and integrating collection, transportation, recovery and disposal services in the area and setting forth the specific responsibilities of each District for implementation of the Plan(s).
- 7) Hudson County shall reach an agreement with the H.M.D.C. and the County of Essex on the amounts and types of wastes generated within the County and transported to either existing and/or proposed facilities within the H.M.D.C. or Essex County Districts, for each of the ten years addressed in the Plan. The agreed upon data shall be incorporated into Hudson County's report and Plan.
- 8) In addition, Hudson County is directed to complete the additional modifications to its Solid Waste Management Plan described in the document attached to this Certification as Appendix I by July 1, 1980.

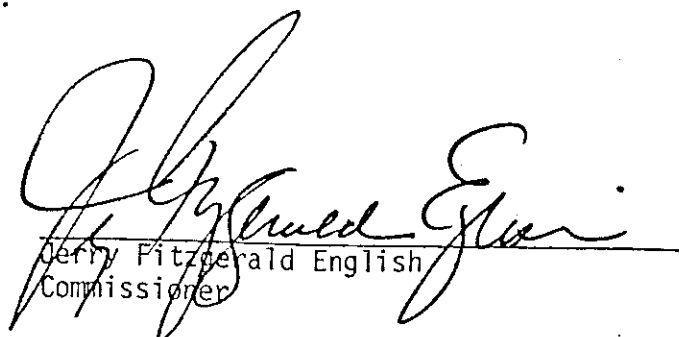
Attached as Appendix II is a list of recommended modifications to be included in the District Solid Waste Management Plan as part of the two year review required pursuant to N.J.S.A. 13:1E-20.

In accordance with N.J.S.A. 13:1E-24, these required modifications shall be considered major modifications of the District Plan and the District is hereby directed to conduct an additional public hearing no later than 45 days from the date of this Certification.

Following submission and review of the adopted modifications, I shall, within 30 days of submittal, certify to the Board of Chosen Freeholders whether or not these modifications are acceptable and if the Plan is approved.

Further, it is noted that the Solid Waste Management Act, the Rules of the Department of Environmental Protection, and other State and federal requirements apply to the permitting and approval of solid waste facilities. Therefore, neither the Certification nor any future action of the Department concerning the District Solid Waste Management Plan shall be construed to be in derogation of, or inconsistent with, such other requirements.

3 October 1979
Date


Jerry Fitzgerald English
Commissioner

Appendix I

Additional Modifications Required by July 1, 1980

I. SOLID WASTE GENERATION

- The Plan should include an inventory by source, type, composition, and quantity of solid waste (including sludge and septage) generated within the solid waste management District in the year in which the report is prepared and each of the ten years following the report. In addition, the Plan shall include a specific timetable for the conduct of a program to accurately define waste generation rates and composition and, in particular, to eliminate the 400 T/D industrial solid waste discrepancy discussed by the consultant.

II. COLLECTION AND HAUL

- The Plan did not provide a specific analysis of industrial waste generation, transportation and disposal within the County. In addition, a strategy for the maximum recovery of industrial wastes should be developed. A specific timetable for undertaking this analysis and developing a strategy shall be included.

III. SLUDGE AND SEPTAGE

- While the Plan identifies the sources of sludge, the present and projected composition (other than liquid or dewatered) and quantity were not included for each of the next ten years as required. Therefore, the Plan shall include this data.
- The interim sludge management plan calls for continued use of H.M.D.C. landfill areas until 1983. The Plan does not specify the facility(ies) and technology which will be utilized during this period. As part of the agreement with the H.M.D.C., the Hudson County Plan shall identify specific facility sites and technology to be utilized for sludge disposal during this period.
- The Department recognizes that the development of a comprehensive sludge disposal strategy is a task now being conducted by the Hudson County Utilities Authority (HCUA). The HCUA Facilities Plan has not yet been approved by the New Jersey Department of Environmental Protection or the U.S. Environmental Protection Agency. Therefore, the Hudson County Solid Waste Management Plan shall include the HCUA's Facilities Plan when it is approved.

IV. RESOURCE RECOVERY

- While the Plan distinguishes that part of the waste stream which will be recovered by high and low technology resource recovery, an analysis of the most appropriate mix of high and low technology shall be undertaken in order to minimize costs, conserve energy and enhance environmental quality.

V. PUBLIC PARTICIPATION

- The Plan shall set forth a comprehensive public information and participation program. This program shall identify a process for keeping the public informed, for the receipt, evaluation and consideration of public comment, and for the integration of public participation into plan development and implementation. In addition, the Plan shall include documentation of the procedures Hudson County used for public participation in the development of its Plan. This shall include a discussion of the activities of the Hudson County Solid Waste Advisory Council, consultations with and input from other publics, and a discussion of the manner in which these comments were considered by the County.

VI. LANDFILLS

- The Plan shall contain a map showing the locations of all existing solid waste facilities, identified by their Department of Environmental Protection Registration Number.
- The Plan shall contain an analysis of the necessary environmental improvements at the Bayonne landfill.

VII. PLAN REVIEW AND UPDATE

- The Solid Waste Management Act requires the District Plan to contain provisions for its review by the Board of Chosen Freeholders once every two years. While the Hudson County Plan acknowledges this requirement and indicates that the Plan will have to be updated, no specific provisions have been made in the Plan to accomplish this. The Plan shall include specific provisions for its update.

Appendix II

Recommended Modifications for Two-Year Update of the Hudson County Solid Waste Management Plan

I. DATA BASE

- The Plan should contain a table showing existing land distribution (amount and percent) for single family residential, multi-family residential, commercial, industrial, public and quasi-public, conservation and recreation, and open space areas.
- The Plan should include updated census data and population projections consistent with year 2000 policy projections from the New Jersey Department of Environmental Protection Draft New Jersey Water Quality Management Plan, March, 1979.
- Employment projections should be presented according to standard industrial classification to provide consistency with other District data. Methodologies and assumptions used in the formulation of estimates and projections should be included.

II. SOLID WASTE GENERATION

- Solid waste estimates and projections should be provided according to waste identification categories in the New Jersey Department of Environmental Protection "Rules of the Solid Waste Administration." This format will provide consistency among District data.
- The updated Solid Waste Management Plan should include, in an appendix, the specific methodology used in obtaining solid waste estimates and projections.
- The Plan should segregate out bulky waste figures from the municipal waste totals to provide a more accurate determination of processible solid waste that can be handled by resource recovery facilities.

III. COLLECTION AND HAUL

- The Plan should contain an analysis of the feasibility of alternative collection practices and should require the modifications of those practices where appropriate. This feasibility analysis should include an assessment of the feasibility of eliminating twice a week collection in those areas where recycling programs are successful.