



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 SUSSEX COUNTY SOLID)
(WASTE MANAGEMENT DISTRICT)

CERTIFICATION
OF
MODIFICATION

BY ORDER OF THE COMMISSIONER:

On June 24, 1980, the Sussex County Board of Chosen Freeholders adopted the Sussex 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 Sussex 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 and the possibilities of implementing resource recovery. 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 Sussex 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 Sussex 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 Sussex County Solid Waste Management Plan includes a survey of the various types of collection systems, the collector/haulers servicing the District, and costs incurred by each municipality, the waste flow diagram illustrated in the Plan does not designate which disposal facility(ies) will be used in the event of an earlier than anticipated closure of the Hopatcong, Stillwater, Sparta or Hardyston landfills prior to the opening of a new county-wide facility. Also, the Plan

does not include any recommendations for the continued use of the Natural Energy Works Inc. landfill in Frankford Township or Hamm's Sanitation landfill in Lafayette should these facilities operate beyond December of 1980.

- 2) The Solid Waste Management Act requires the District Plan to inventory the sources, composition and quantity of solid waste generation for each of the ten years following the year in which the Plan is prepared. The Plan does not totally comply with this requirement.
- 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 Sussex 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 Sussex County Plan does not contain such a plan for each of its landfills.
- 5) The Solid Waste Management Act provides that a system shall be established for uniform disposal rates within the District. The Sussex County Plan does not include a detailed procedure for the uniform distribution of resource recovery and disposal costs throughout the District's service area.
- 6) The Department, in its review of District Solid Waste Management Plans, 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, particularly during the short term as resource recovery is implemented, and should be part of a comprehensive plan for solid waste management in New Jersey.

In light of the need for this interdistrict waste flow it may be necessary for Sussex County to enter into interdistrict agreements with neighboring Districts for short term and possibly long term disposal capacity.

Therefore, Sussex County is hereby directed to make the following modifications to its adopted District Solid Waste Management Plan no later than March 1, 1981:

- 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 (desti-

nation). This waste flow diagram shall be expanded to designate which disposal facility(ies) will be used in the event of an earlier than expected closure of the Hopatcong, Stillwater, Sparta and/or Hardyston landfills. Also, the Plan shall include recommended waste flows for the continued use of the Hamm's Sanitation and Energy Works Inc. landfills in the event these facilities operate beyond December of 1980.*

- 2) The Plan shall include a schedule (including specific milestones) for the completion of indepth studies necessary for resource recovery implementation in the Group III North area and an indication of who will undertake the studies, an estimate of their costs, and how the studies will be funded. The studies shall include, as a minimum, the following:
 - a) an assessment and identification of and agreements/contracts for materials and energy (the scope of market identification shall not be limited to only large scale industrial, commercial or institutional energy consumers but shall be inclusive of those moderate to small scale consumers that could prove to benefit from modular incineration). Materials market investigations for recovered products from source separation/recycling efforts shall also be provided.
 - b) a more detailed assessment of available resource recovery technology including those already identified in the Plan as well as modular incineration and intermediate materials processing (functioning in coordination with a transfer station, allowing for reduced landfill loading, reduced transportation costs, and materials recovery), and an evaluation of costs/benefits as well as environmental assessment of the technologies,
 - 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, including a determination of specific amounts of agricultural wastes requiring disposal,
 - 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,
 - h) determination of capacity needs and facilities for the disposal of resource recovery residuals, for emergency backup and for non-processable wastes, and
 - i) determination of the necessary interdistrict agreements (including a schedule for negotiating the agreements) for long term transportation, resource recovery and solid waste disposal throughout the region comprising parts of Passaic and all of Hunterdon, Morris, Warren, Somerset and Sussex Counties.

* This issue is now in litigation.

- 3) The Plan shall include a detailed plan for the use of each terminated land disposal sites within the County.
- 4) The Plan shall include a more detailed procedure for the uniform distribution of resource recovery and disposal costs throughout the District's service area. The Plan shall include procedures for the uniform distribution of costs necessary to upgrade existing disposal facilities to meet environmental regulations.
- 5) If necessary, the Plan shall include interdistrict agreements with Passaic, Morris and/or Warren Counties setting forth the necessary procedures for coordinating and integrating collection, transportation, recovery and disposal services in the area and setting forth specific responsibilities of each District for implementation of the Plan(s).
- 6) If necessary, Sussex County shall negotiate an interdistrict agreement with Morris, Warren and/or Passaic Counties on the amounts and types of wastes generated within Morris, Passaic and Warren Counties and transported to either existing and/or proposed facilities within Sussex County for each year addressed in the Plan and wastes generated within Sussex County and transported to either existing or proposed facilities within Morris and/or Warren Counties. The agreed upon data shall be incorporated into Sussex County's report and Plan.
- 7) In addition, Sussex 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 March 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.

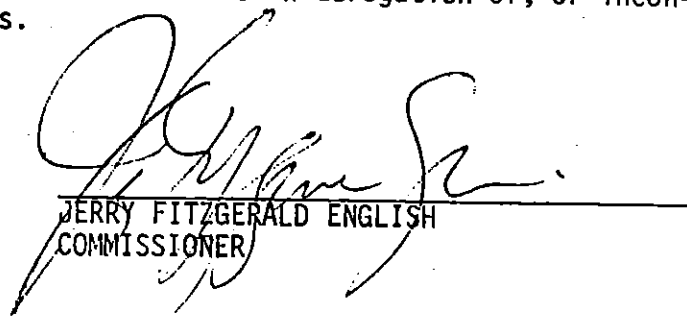
In accordance with N.J.S.A. 13:1E-24, these required modifications shall be considered major modifications of the District Plan and the District is hereby directed to conduct an additional public hearing no later than 45 days from the date of this Certification.

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.

11 Dec 1980

DATE



JERRY FITZGERALD ENGLISH
COMMISSIONER

Appendix I

Additional Modifications Required by March 1, 1981

I. SOLID WASTE GENERATION

- The Plan shall include an inventory by source, type, composition, and quantity of solid waste 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 more accurately define waste generation rates and composition necessary for resource recovery implementation.

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.
- The Plan should also include a strategy for increasing the efficiency of collection within the County, specifically a study evaluating the maximum utilization of transfer stations and implementation of the COLMIS or similar collection improvement system.

III. SLUDGE AND SEPTAGE

- All planning for sludge and septage will be subject to the new rules and regulations of the Department governing sludge and septage. Further, any District may include sludge and septage alternatives as part of the District solid waste management planning process, however, these alternatives will not be approved unless they conform with the Department's regulations and the 201 plans developed pursuant to the regulations.

IV. RESOURCE RECOVERY

- The Plan shall analyze and identify that part of the waste stream which will be recovered by high and low technology resource recovery, in order to minimize costs, conserve energy and enhance environmental quality.

V. PUBLIC PARTICIPATION

- The Plan shall set forth an on-going comprehensive public information and participation program (e.g., newsletter, news releases, public informational meetings, etc.) throughout the implementation phase of the Solid Waste Management Plan. 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 develop-

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ment and implementation. In addition, the Plan shall include documentation of the procedures Sussex County used for public participation in the development of its Plan. This shall include a discussion of the activities of the Sussex 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 provide a schedule (including specific milestones) for the completion of necessary tasks and decisions leading to the implementation of the Plan's regional landfill strategy by January 1983 and an indication of who will be responsible for undertaking and completing these tasks, an estimate of their costs, and how their completion will be funded. These tasks and/or decisions shall include, as a minimum, the following:
 - a. environmental assessments and permit approvals,
 - b. selection of site(s),
 - c. acquisition of property,
 - d. preparation of engineering plans and designs,
 - e. transportation/facility capacity,
 - f. facility financing,
 - g. cost analysis/rate projections, and
 - h. facility ownership/operational decisions.
- The Plan shall contain an analysis of the necessary environmental improvements to landfills located within the District.

Appendix II

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

I. DATA BASE

- 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.

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.

III. COLLECTION AND HAUL

- The Plan should contain an analysis of the feasibility of alternative collection practices. For example, in a municipality where residents contract privately with one of several collector haulers, savings may be realized if the municipality contracted with one collector hauler. Another approach to increasing the efficiency of collection would be to divide a municipality into wards or service areas and have collector haulers bid for the right to service specific service areas, thus reducing the amount of collector haulers servicing one area.