



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)
 (BURLINGTON COUNTY SOLID WASTE)
 (MANAGEMENT DISTRICT)

CERTIFICATION OF APPROVAL
 OF THE NOVEMBER 10, 1982 AMENDMENTS TO THE
 BURLINGTON 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 October 27, 1980, the Department approved, with modifications, the Burlington County District Solid Waste Management Plan.

The Act requires that all district plans must be comprised of a report detailing the existing waste disposal situation in the district, and a plan which details 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. Among other things, 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 determining which sites are available and for reaching any necessary interdistrict agreements.)

The Act further requires that all district plans must be reviewed by the district at least once every two years, and if found inadequate, a new plan must be adopted. The Burlington County Board of Chosen Freeholders has completed this mandatory review and submitted Amendments in response to their findings of need. On July 14, 1982, the Burlington County Board of Chosen Freeholders adopted Amendments to its approved District Solid Waste Management Plan, but left the hearing record open so that additional written comments could be received. The Amendments were submitted to the Department of Environmental Protection on September 15, 1982. By early November 1982, the Freeholders had received and fully considered all relative comments and found no reason to recommend any changes to the Amendments. On November 18,

1982, the Department received a resolution adopted on November 10, 1982 by the Burlington County Board of Chosen Freeholders reconfirming their earlier adoption of the Amendments in their entirety. Action by the Department of Environmental Protection on these Amendments was suspended pending the outcome of a lawsuit brought by the Landfill and Development Company and the Townships of Florence and Mansfield against the Burlington County Board of Chosen Freeholders. However, a ruling by Superior Court Judge Martin L. Haines allows the Department of Environmental Protection to issue its decision. The State level agencies were afforded the opportunity to comment on all submissions relative to the Amendments and lawsuit.

The Department has reviewed these Amendments and has determined that the Amendments adopted by the Burlington County Board of Chosen Freeholders on November 10, 1982 are approved in accordance with N.J.S.A. 13:1E-24.

B. Approved Burlington County District Solid Waste Management Plan Amendments

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 Plans, have reviewed the November 10, 1982 Amendments to the approved Burlington County District Solid Waste Management Plan and certify to the Burlington County Board of Chosen Freeholders that these Amendments are in compliance with the requirements of N.J.S.A. 13:1E-21 and are hereby made a final approved part of the Burlington County District Solid Waste Management Plan.

1) Solid Waste Plan Implementation Agency

The Burlington County Health Department, Office of Waste Management Programs, is the agency designated by the Board of Chosen Freeholders to implement the approved Burlington County Solid Waste Management Plan.

2) Existing Solid Waste Facilities

- a) The following solid waste facilities are an approved part of the Burlington County Solid Waste Management Plan and are required to operate in conformance with the Interdistrict and Intradistrict Solid Waste Flow Rules (N.J.A.C. 7:26-6 et seq.).

These facilities include: Parklands Reclamation Project (0304A), Bordentown Township; Lumberton Township Landfill (0317A), Lumberton Township; Burlington City Landfill (0305A), Burlington City; Tabernacle Township Landfill (0335A), Tabernacle Township; and Landfill and Development Company (0323A), Mount Holly Township. The Amendments specified that the L & D Landfill shall be included in the Plan and the Waste Flow Program for a period of nine months and shall be excluded thereafter unless the County and the Department of Environmental Protection determine, in writing, that certain conditions have been met. However, Superior Court Judge Martin L. Haines, in a suit brought against the Burlington County Board of Chosen Freeholders by the L & D Company and the Townships of Florence and Mansfield, ruled that the L & D Landfill is included

within the Plan as long as the facility complies with the provisions of its amended registration.

- b) The following solid waste landfills are an approved part of the Burlington County Solid Waste Management Plan. Because these facilities are only permitted to accept solid waste generated from their own business, they have not been included in the Interdistrict and Intradistrict Solid Waste Flow Rules (N.J.A.C. 7:26-6 et seq.).

These facilities include: Paul Patsaros Sanitary Landfill (0306C), Burlington Township; J. Vinch and Sons Demolition Landfill (0307A), Chesterfield Township; U.S. Pipe and Foundry (0306A), Burlington Township; Hoegaenaes Corporation Landfill (0308B), Cinnaminson Township; Griffin Pipe Products (0315A), Florence Township; New Lisbon State School Sanitary Landfill (0339B), Woodland Township; Fort Dix Landfill (0329B), Pemberton Township.

- c) The following solid waste compost facilities are an approved part of the Burlington County Solid Waste Management Plan.

These facilities include: Burlington Township Compost (0306B), Burlington Township; Cinnaminson Township Compost (0308A), Cinnaminson Township; Riverton Borough Compost (0331A), Riverton Borough; Riverside Township Compost (0330A), Riverside Township; Wharton State Forest Compost (0336A), Washington Township; Rancocas State Park Compost (0337A), Westampton Township; Bass River State Forest Compost (0301B), Bass River Township; Woodhue Compost (0334A), Springfield Township (receives compostable material from Ocean Spray Company in Bordentown Township); Lawrence House Historic Site Compost (0305C), Burlington City; Lebanon State Forest Compost Facility (0339C), Woodland Township; and Delran Township Compost (0310A), Delran Township.

3) Proposed Solid Waste Facilities

- a) The inclusion of the Burlington County Solid Waste Management Facilities Complex within the Burlington County District Solid Waste Management Plan at the site listed below is approved. The construction or operation of any facilities at this site shall be preceded by the obtaining of all necessary permits and approvals under N.J.S.A. 13:1E-1 et seq. and all other applicable laws. The Complex shall be located in contiguous sections of Florence and Mansfield Townships on the following Blocks and Lots:

Florence

Township: Block 172, Lots 16, 16A, 17, 17A, 17B

Block 173, Lots 1*, 2*, 3, 3A, 3B, 4, 5, 6, 8, 8C

Block 174, Lots 2, 3, 3A, 3B, 3C, 3D, 3E, 4, 4A, 7

Mansfield

Township: Block 44, Lots 1, 2, 4, 5, 5A, 5B, 5D, 5E, 6, 7*, 8

*The Amendments to the Burlington County District Solid Waste Management Plan include lots totalling 29 acres of Florence Landfill actually used for landfilling. The Plan notes that the County has not decided whether or not to acquire these parcels of land.

- b) The inclusion within the Plan of the Fort Dix Heat Recovery Incinerator to process post recycled waste at the 5800 area of the Fort Dix Army Base in New Hanover Township is approved. The U.S. Department of the Army shall be required to remove the maximum practicable amount of recoverable materials from the waste stream. The construction or operation of any facilities at this site shall be preceded by the obtaining of all necessary permits and approvals under N.J.S.A. 13:1E-1 et seq. and all other applicable laws.
 - c) The inclusion within the Plan of the Woodland Township transfer station on Block 2703, Lot 2A in Woodland Township is approved. The construction or operation of any facilities at this site shall be preceded by the obtaining of all necessary permits and approvals under N.J.S.A. 13:1E-1 et seq. and all other applicable laws.
 - d) The inclusion within the Plan of the North Hanover Township transfer station on Block 902, Lot 2A in North Hanover Township is approved. The construction or operation of any facilities at this site shall be preceded by the obtaining of all necessary permits and approvals under N.J.S.A. 13:1E-1 et seq. and all other applicable laws.
 - e) The inclusion within the Plan of the Bass River Township transfer station and compost facility on Block 3, Lot 2 in Bass River Township is approved. The construction or operation of any facilities at this site shall be preceded by the obtaining of all necessary permits and approvals under N.J.S.A. 13:1E-1 et seq. and all other applicable laws.
 - f) The inclusion within the Plan of the Moorestown Township composting facility on Block 22, Lot 3 in Moorestown Township is approved. The construction or operation of any facilities at this site shall be preceded by the obtaining of all necessary permits and approvals under N.J.S.A. 13:1E-1 et seq. and all other applicable laws.
- 4) Waste Flow Program for Solid Waste Generated in Burlington County

The waste flow program for solid waste generated in Burlington County as indicated in Modification 82-2.4 is approved as written with one exception: All waste types 10 and 23 generated from within the Burlington County municipality of Burlington City shall be disposed of at the Burlington City Sanitary Landfill (facility number 0305A), located in Burlington City, Burlington County. All wastes types 13, 25, and 27 generated from within Burlington City shall be disposed of at the Parklands Reclamation Project landfill (facility number 0304A), located in Bordentown Township, Burlington County.

C. Other Provisions Affecting the Plan Amendments

1) Contracts

Any contract renewal or new contract for solid waste collection or solid waste disposal which was executed prior to the approval of the within Amendments to the Burlington County District Solid Waste Management Plan 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 these Amendments and of the Burlington County District Solid Waste Management Plan if such renegotiation is not completed within ninety (90) days of the effective date of these Amendments; provided, however, that any such registrant may, upon application to the Department of Environmental Protection and for good cause shown, 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 Burlington County and effected by the Amendments contained herein shall operate in compliance with these Amendments and all other approved provisions of the Burlington 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 Burlington County District Solid Waste Management Plan Amendments

The provisions of the Burlington 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. 7:26-2.5.27 and shall not apply to liquid wastes, sewage sludge, septage, hazardous wastes, oil spill cleanup waste, and infectious waste.

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 Burlington County District Solid Waste Management Plan.

4) Certification to Proceed with the Implementation of Plan Amendments

This document shall serve as the Certification of the Commissioner of the Department of Environmental Protection to the Burlington County Board of Chosen Freeholders, as provided for by N.J.S.A. 13:1E-24f., to proceed with the implementation of the Amendments contained herein.

5) Definitions

For the purpose of these Amendments 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 -2.5.27.*

6) Effective Date of Amendments

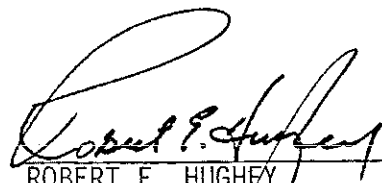
The approved Amendments to the Burlington County District Solid Waste Management Plan contained herein shall take effect immediately.

- 7) 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 Burlington County District Solid Waste Management Plan, including any Amendments 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 intra-district waste flow rules, and also includes the compilation of individual District Plans and Amendments as they are approved.

D. Certification of Approval 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 Amendments, as outlined in Section B of this Certification, to the Burlington County District Solid Waste Management Plan which were adopted by the Board of Chosen Freeholders on November 10, 1982.

4/18/83
DATE


ROBERT E. HUGHEY
COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL PROTECTION

*Note: In a municipal collection system where commercial and residential solid wastes are collected together, the wastes shall be considered, for the purposes of District solid waste planning, as residential solid waste.



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF WASTE MANAGEMENT

32 E. Hanover St., CN 027, Trenton, N.J. 08625

Dr. Marwan M. Sadat, P.E.
DIRECTOR

LINO F. PEREIRA
DEPUTY DIRECTOR

December 6, 1983

Honorable Robert C. Shinn, Jr.
Director
Burlington County Board of Chosen
Freeholders
County Office Building
Mount Holly, New Jersey 08060

Dear Director Shinn:

Enclosed please find revised copies of pages 2 and 3 of the solid waste management plan certification of approval which Commissioner Hughey signed on April 18, 1982. The original pages contained an inaccurate description of Judge Haines ruling pertaining to the Landfill and Development Company facility. These revised pages provide a correct narrative of the status of the Landfill and Development site.

I regret any inconvenience which might result from the re-issuance of these pages at this time.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lino F. Pereira".

Lino F. Pereira
Deputy Director

eom
c: Theodore Schwartz, Esq.

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County. Hence, the environmental conditions imposed upon L & D in the Plan are not approved. The L & D Landfill is included in the Plan as long as the facility complies with all applicable environmental standards, including, but not limited to, those contained in its amended registration, issued on September 13, 1982.

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