



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
RICHARD T. DEWLING, Ph.D., P.E., COMMISSIONER
CN 402
TRINTON, N.J. 08625
609-292-2885

(IN THE MATTER OF CERTAIN AMENDMENTS)
(TO THE ADOPTED AND APPROVED SOLID)
(WASTE MANAGEMENT PLAN OF THE)
(CAPE MAY COUNTY SOLID WASTE)
(MANAGEMENT DISTRICT)

CERTIFICATION
OF THE DECEMBER 8, 1987
AMENDMENT TO THE CAPE MAY 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.) establishes a comprehensive system for the management of solid waste in New Jersey. The Act designates all twenty-one (21) of the state's counties, and the Hackensack Meadowlands District, as Solid Waste Management Districts, and mandates that the Boards of Chosen Freeholders and the Hackensack Meadowlands Development Commission develop comprehensive plans for waste management in their respective districts. On February 4, 1981, the Department approved, with modifications, the Cape May 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 solid waste 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 procedures. 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. Amendments to the Act found in N.J.S.A. 13:1E-99.11 et seq., require that counties amend their district solid waste management plan to include a district recycling plan. Additionally, N.J.S.A. 13:1E-136 et seq. requires, among other

things, that counties amend their district plan to include an outline of the proposed uses of the moneys in the District Resource Recovery Investment Tax Fund (Fund), as well as establish a schedule for disbursement of moneys in the Fund. The Cape May County Board of Chosen Freeholders completed such a review and on December 8, 1987, adopted an amendment to its approved district solid waste management plan to satisfy these requirements.

The amendment proposed to incorporate the district recycling plan into the approved district solid waste management plan as per the requirements of the New Jersey Statewide Mandatory Source Separation and Recycling Act, N.J.S.A. 13:1E-99.11 et seq. (herein referred to as the "Recycling Act"). Additionally an outline of the proposed uses and disbursement schedule for the Fund were included in the Amendment, in accordance with N.J.S.A. 13:1E-150.

The amendment was received by the Department of Environmental Protection on December 28, 1987, and copies were distributed to various state level agencies for review and comment, as required by law. The Department has reviewed this amendment and has determined that the amendment adopted by the Cape May County Board of Chosen Freeholders on December 8, 1987 is approved in part with modifications as provided in N.J.S.A. 13:1E-24. Modification of the amendment by the Cape May County Board of Chosen Freeholders by submission of a more detailed disbursement schedule for the Fund may be accomplished without altering other aspects of the approved district solid waste management plan, and is therefore deemed minor in accordance with N.J.S.A. 13:1E-24d.

B. Findings and Conclusions with Respect to the Cape May County District Solid Waste Management Plan Amendment

Pursuant to N.J.S.A. 13:1E-24a(1), N.J.S.A. 13:1E-99.11 and N.J.S.A. 13:1E-150, I, Richard T. Dewling, Commissioner of the Department of Environmental Protection have studied and reviewed the December 8, 1987, amendment to the Cape May County District Solid Waste Management Plan according to the objectives, criteria, and standards developed in the Statewide Solid Waste Management Plan, N.J.S.A. 13:1E-99.11 et seq. and N.J.S.A. 13:1E-150, and I find and conclude that this plan amendment is partially consistent with the requirements of the Recycling Act in developing a strategy for the collection and marketing of designated recyclable materials, but is inconsistent in detailing its leaf composting strategy. Additionally, the proposed amendment is consistent with N.J.S.A. 13:1E-150 in proposing acceptable uses of moneys from the Cape May County District Resource Recovery Investment Tax Fund, but is inconsistent in failing to provide an adequate disbursement schedule for these moneys.

In addition, the Division of Solid Waste Management circulated the plan amendment to nine review agencies and solicited their review and recommendations. Pursuant to N.J.S.A. 13:1E-24a(2) and (3), these agencies included various agencies, bureaus, and divisions within the Department of Environmental Protection as well as the Green Acres Program, the Board of Public Utilities and the Board of Community Affairs. In addition, a memo

identifying the amendment as a district recycling plan was distributed to various agencies, bureaus, and divisions within the DEP as well as the Department of the Public Advocate, the Department of Health, the Department of Agriculture, the Department of Transportation, and the New Jersey Turnpike Authority. These agencies were notified of the opportunity to examine a copy of the plan upon request to the Office of Recycling. Of these agencies, the following did not object to the proposed plan amendment: N.J.D.E.P. DSWM Bureau of Solid Waste Resource Recovery Planning and the Division of Parks and Forestry; the Board of Public Utilities, the New Jersey Advisory Council on Solid Waste Management and the Department of Community Affairs. The following agencies failed to respond to our requests for comments: the N.J.D.E.P. Division of Fish, Game and Wildlife, Division of Audit and Financial Management, Division of Water Resources (DWR) Bureau of Ground Water Quality Management and DWR Monitoring and Planning Element; the State Departments of Agriculture, Health, Transportation and the Public Advocate; the New Jersey Turnpike Authority and the U.S. Environmental Protection Agency. N.J.D.E.P. Division of Environmental Quality (DEQ) Bureau of Air Quality Planning and Evaluation, Division of Solid Waste Management (DSWM) Bureau of Solid Waste and Resource Recovery Finance, Bureau of Resource Recovery and the Office of Recycling, and the Green Acres Program submitted substantive comments which are further addressed below.

Resource Recovery Investment Tax Fund Amendment

1. The provisions of the "McEnroe" legislation (N.J.S.A. 13:1E-136 et seq.) which establish District Resource Recovery Investment Tax Fund accounts for the state's 21 counties, set out a clear state policy objective to generate revenues in order to subsidize anticipated resource recovery tipping fees to a level which is competitive with disposal costs at landfills utilized by the counties. The subsidies created by this legislation also were designed as incentives to make the transition from landfill disposal to capital intensive resource recovery technologies. Thus, the purposes of the Act are to provide financial assistance to counties in order to expedite resource recovery technology implementation and to provide user benefits through a reduction in the tipping fees at resource recovery facilities. If a county can demonstrate to the satisfaction of the department that utilization of a resource recovery facility is not feasible for the disposal of solid waste generated in the county, then the District Resource Recovery Investment Tax Fund may be used to design, finance, construct, operate or maintain environmentally sound state-of-the-art sanitary landfill facilities.

Prior to disbursement from its District Resource Recovery Investment Tax Fund, however, a county must prepare a plan amendment which outlines the proposed uses of the moneys in its District Fund and establishes a disbursement schedule for those moneys in the Fund. Thus, two tests must be met: an eligible use test, which uses are limited to those identified in N.J.S.A. 13:1E-150b. and a disbursement schedule test, which test criteria are not specifically provided in the Act.

Eligible uses of the Fund are provided in Attachment 1, Part I, of this certification. In consideration of the intent and objectives of the Act outlined above and the specific limitations upon eligible uses of the fund provided in N.J.S.A. 13:1E-150, projects not formally identified in the approved district solid waste management plan shall not be funded with Resource Recovery Investment Tax Fund moneys. Therefore, in order to ensure user rate reduction and facilitate timely project implementation, disbursements from a District Resource Recovery Investment Tax Fund shall be made only to projects formally identified in the approved district solid waste management plan.

Pursuant to law, in order to provide safeguards as to how the investment tax funds are to be spent, a schedule for the disbursement of the moneys must be provided through the plan amendment process established under the New Jersey Solid Waste Management Act N.J.S.A. 13:1E-1 et seq.). In this way, a formal procedure for quantifying contributions to and withdrawals from the fund is established. Such a procedure may be followed using a variety of methodologies and formats for data presentation. In order to evaluate the adequacy of financial disbursement schedule content and procedures, the Department has established criteria (see Attachment 1, Part II). Since the disbursement schedule submitted by Cape May County did not provide critical information such as fund balance, fund projection, timing of disbursements, projected recipients of disbursements and other critical disbursement information, it did not meet reasonable criteria for adequacy.

The amendment outlined the proposed uses of the District Resource Recovery Investment Tax Fund. The plan proposed use of \$1,100,000 of the Fund monies for construction and equipment for an Intermediate Processing Facility (IPF) to be sited on property owned by the Cape May County Municipal Utilities Authority (CMCMUA) adjacent to the sanitary landfill in Woodbine Borough.

Additionally, \$45,000 was budgeted for the purchase of recycling containers. These containers are to be used by county households to store recyclables prior to pick-up at the curb for transport to the IPF. The preliminary budget estimates in the plan were augmented by Freeholder Resolution to "...utilize up to \$1,200,000 of Fund monies for development, construction and equipping of the IPF for Cape May County, for the joint purchase by CMCMUA and County Municipal Governments of various recycling containers and equipment to be provided/utilized by said Municipal Governments and for any/all other capital purchases as specifically authorized by the County Recycling Plan as adopted hereby."

The amendment also established a disbursement schedule for the moneys in the Fund. Disbursements from the Fund were proposed to begin after the CMCMUA, with the advice of the SWAC, prepared and adopted an Annual Recycling Program Budget containing a description of all county-wide recycling program activities. Disbursement of Fund moneys would necessarily follow a procurement process for construction and

equipping of the IPF and purchase of recycling containers. Procurement was scheduled to be completed by December 30, 1988. Disbursements from the fund were contemplated for reimbursement to CMCMUA for costs incurred by CMCMUA for these purposes.

The Department has determined that the proposed uses of moneys from the County District Resource Recovery Investment Tax Fund are in conformance with the requirements of N.J.S.A. 13:1E-150b. Disbursement for construction and equipment for an IPF and the purchase of recycling containers are eligible uses of Fund monies solely to the extent that their uses reduce rates charged to all users by a resource recovery facility serving the county in order to provide a gradual transition to resource recovery facility rates from sanitary landfill facility rates. Authorized eligible uses of moneys shall be limited to reimbursement to the CMCMUA not to exceed \$1,200,000 for costs incurred for construction and equipment at the Intermediate Processing Facility to be located on property owned by the CMCMUA adjacent to the sanitary landfill in Woodbine Boro, and for the purchase of recycling containers.

The Department also has determined that the disbursement schedule outlined in the subject amendment is inadequate because its level of detail and clarity is not sufficient to enable the Department to conduct a meaningful review and discharge its statutory oversight responsibilities. Therefore, I have modified the disbursement schedule component of the amendment as outlined in Section C. below.

District Recycling Plan Amendment

2. N.J.D.E.P. DEQ, Bureau of Air Quality Planning and Evaluation commented that certain regulations prohibiting the release of odors and other air contaminants apply to recycling centers and composting facilities. The Office of Recycling will forward a copy of these comments to the Cape May County Municipal Utilities Authority for their information and use as may be applicable (See Attachment 2, Part I).
3. Green Acres program commented that the Cape May County plan "gives the impression that only the Solid Waste Management Act, Mandatory Recycling Act, or Board of Public utilities have review and approval authority for recycling activities." They also expressed concern over the lack of rules, regulations, statutes, etc. that would govern recycling facilities as per N.J.S.A. 13:1E-99.34, which states that "no recycling center as defined in section 2 of P.L. 1987, c. 102 shall be required by the department to obtain a registration statement, engineering design approval, or approval of an environmental and health impact statement prior to the commencement of operations."

In response, while Recycling Centers are exempt from obtaining a registration statement, engineering design approval or approval of an environmental and health impact statement pursuant to the Solid Waste

Management Act, recycling centers are not exempt from inclusion in the district recycling plans or from other permits as may be applicable.

Recycling centers must be incorporated into all district recycling plans as amendments to the county solid waste management plans. As such, the Green Acres program and other state agencies will still be afforded an opportunity for substantive input for all recycling facilities.

In addition, the Office of Recycling is in the process of developing regulations which will govern recycling facilities that will be accepting and processing materials as approved by the Department which are not designated recyclable materials as outlined in N.J.S.A. 13:1E-99.12. The Green Acres program will be afforded an opportunity to comment on these regulations.

A copy of the Green Acres comments will be forwarded to the Cape May County Municipal Utilities Authority for their information and use as may be applicable (See Attachment 3, Part I).

4. The DSWM, Bureau of Resource Recovery indicated that they are presently awaiting a district plan amendment which will include the compost facility to be located at the Sanitary Landfill in Woodbine, New Jersey from the Cape May County Municipal Utilities Authority. The Bureau does not have any record of any other compost facility permits or any applications for a compost facility on file for any Cape May Municipality.
5. The DSWM, Office of Recycling also expressed concern over the leaf composting capacity in the County. Cape May County's strategy for leaf composting includes an annual plan to be submitted to the CCMUA by all municipalities generating more than one ton of leaves and their plans for composting. Two municipalities are presently mulching their leaves through local farms in the area. Page III-5 indicates that "Middle Township mulches its source separated leaves through several farms in the area" (483 tons of leaves in 1986). The Office of Recycling also has documentation which indicates that in 1986, Upper Township in Cape May County mulched 814.2 tons of leaves. Farmland acceptance of leaves for mulching is not consistent with the "New Jersey Statewide Source Separation and Recycling Act", N.J.S.A. 13:1E-99.21. The county is advised that all leaves must go to a DEP permitted leaf composting facility. According to EXHIBIT #-III in the Cape May County Recycling Plan, vegetative waste, which includes leaves, grass clippings and branches less than four inches (4") in diameter, equals 6.9% of the municipal solid waste stream or 14,352 tons per year (1988). The compost facility application indicates that the site chosen at the Sanitary Landfill in Woodbine will handle 3,000 cubic yds/yr of leaves and grass clippings for composting. As per the application, 3,000 cubic yds/yr is equivalent to 525 tons at 350 lbs/cubic yd. This information would indicate a leaf composting capacity short fall in Cape May County. In addition, the district recycling plan does not "identify the leaf composting facility or

facilities to be utilized by each municipality within the county" as per N.J.S.A. 13:1E-21.

In addition to the Recycling Plan, correspondence dated April 29, 1988, from Diane Leonik, Assistant Solid Waste Manager for the Cape May County Municipal Utilities Authority, to Bruce Ray, Planner in the DEP's Division of Solid Waste Management, indicates plans to incorporate two regional leaf composting facilities into a future plan amendment. The first site is the regional leaf composting facility to be located adjacent to the Authority's Sanitary Landfill, as discussed in the recycling plan and leaf composting permit application. The second site will be located adjacent to the Authority's Transfer Station. In response to these comments, Cape May County is notified by copy of this certification that its district plan is deficient with regard to adequate leaf composting capacity until such time as sufficient in-county leaf compost facilities are included within the district plan. To remedy the deficiencies the proposed plan amendment must be submitted in the near future and prior to September 1, 1988, at which time all leaves must be transported to a DEP registered leaf composting facility, as per N.J.S.A. 13:1E-21 and N.J.S.A. 13:1E-22.

The Office of Recycling also commented on the review and operational criteria prescribed by the County for all recycling centers in Cape May County. The criteria include but are not limited to the amount of acceptable residue, storage capacity for unprocessed and processed materials, and reporting standards. The County is advised that the Department will be adopting regulations that will govern the review and operation of recycling centers throughout the State. In the interim, Cape May County's criteria for recycling centers are acceptable.

C. Certification of Cape May County District Solid Waste Management Plan Amendment

I, Richard T. Dewling, Commissioner of the Department of Environmental Protection, in accordance with N.J.S.A. 13:1E-1 et seq., N.J.S.A. 13:1E-21 and N.J.S.A. 13:1E-150, which established specific requirements regarding the contents of the district solid waste management plans, have reviewed the December 8, 1987, amendment to the approved Cape May County District Solid Waste Management Plan and certify to the Cape May County Board of Chosen Freeholders that the December 8, 1987 amendment is approved in part with modifications and modified in part as further specified below.

The proposed uses outlined in the County District Resource Recovery Investment Tax Fund Plan Amendment are in conformance with the requirements of N.J.S.A. 13:1E-150b only as they limit disbursement from the district Fund to reimburse the CMCMUA for the costs of construction and equipment for the proposed Intermediate Processing Facility to be located on property owned by CMCMUA adjacent to the sanitary landfill in Woodbine Borough, and for the purchase of recycling containers. Total approved disbursements from the Fund shall not exceed \$1,200,000. Recycling Program or other administrative costs shall not be eligible for Fund monies. Any and all

other capital purchases as specifically authorized by the County Recycling Plan shall not be eligible except by specific review and approval by the Department pursuant to subsequent amendment of the district plan. All interest earnings accrued on fund balances forwarded to Cape May County's Resource Recovery Investment Tax Fund shall be expended only for the specific purposes approved herein.

The provisions of the plan that provide a disbursement schedule are not complete. Provision of a complete and adequate disbursement schedule may be accomplished after the procurement process when budget items and costs have been contractually established. The Cape May County Board of Chosen Freeholders, after approval of the Annual Recycling Program Budget developed by CCMUA, may submit this additional budgeting disbursement schedule information to the Department without altering other aspects of the approved district solid waste management plan. Therefore, in accordance with N.J.S.A. 13:1E-24d., this submission is deemed a minor modification of the approved plan and may be achieved through Freeholder resolution and submission to the Department. Minor modification procedures do not require additional public hearing.

In accordance with N.J.S.A. 13:1E-150, Cape May County shall not disburse monies from its District Resource Recovery Investment Tax Fund unless and until the Department approves of the Freeholder resolution which provides additional disbursement information contained in the Annual Recycling Program Budget.

As indicated in Section B. of this certification, Cape May County's recycling plan is deficient with regard to adequate leaf composting capacity. The deficiencies noted in Section B. must be addressed in a future plan amendment to be submitted prior to September 1, 1988. Specifically, the leaf composting capacity at the two regional leaf composting facilities must be identified in the proposed plan amendment. All additional strategies for leaf composting should be quantified to the greatest extent possible. This would include a list of all the municipalities in Cape May County and their strategy for leaf composting. This should include a discussion and identification of all the municipalities planning on promoting backyard composting due to a limited generation of leaves in their communities (less than one ton). The proposed plan amendment must address Cape May County's strategy for the composting of all leaves generated in the County.

D. Other Provisions Affecting the Plan Amendment

1. Contracts

Any contract renewal or new contract for solid waste collection or disposal which is inconsistent with this amendment to the Cape May 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 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 operation pursuant to a contract as herein described, shall be deemed to be in violation of this amendment and of the Cape May 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 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 Cape May County and affected by the amendment contained herein shall operate in compliance with this amendment and all other approved provisions of the Cape May County District Solid Waste Management Plan. Any solid waste 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, and 12 and all other applicable laws.

3. Types of Solid Wastes Covered by the District Solid Waste Management Plans

The provisions of the Cape May 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 recycling 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).

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 Cape May County Board of Chosen Freeholders and pursuant to N.J.S.A. 13:1E-24c. and f., the county shall 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, N.J.A.C. 7:26-1.4, N.J.A.C. 7:26-2.13, N.J.S.A. 13:1E-99.12, and N.J.S.A. 13:1E-137.

6. Effective Date of Amendment

The Amendment to the Cape May County District Solid Waste Management Plan contained herein shall take effect immediately.

7. Audit-Requirements

Cape May County shall, by October 31 of each year in which moneys remain in its District Resource Recovery Investment Tax Fund, file a financial and compliance audit of the fund and any expenditures therefrom with the Local Board in the Division of Local Government Services in the Department of Community Affairs. The audit shall be conducted by an independent public accountant. A copy of the audit shall be provided to: Chief, Bureau of Solid Waste and Resource Recovery Financing, Division of Solid Waste Management, 401 East Street, Trenton, New Jersey 08625.

8. 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 Cape May 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.

E. Certification of approval in part and modification in part 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 in part and modify in part the amendment as outlined in Section C. of this certification, to the Cape May County District Solid Waste Management Plan which was adopted by the Cape May County Board of Chosen Freeholders on December 8, 1987.

May 25, 1988

DATE



RICHARD T. DEWLING
COMMISSIONER

ATTACHMENT IContent and Format Criteria for District Resource Recovery Investment Tax Fund Plan Amendment Submissions, in Accordance with N.J.S.A. 13:1E-150I. Proposed Uses

The moneys in the fund shall be disbursed only for the following purposes:

- 1) To reduce the rates charged to all users by a resource recovery facility serving the county in order to provide a gradual transition to resource recovery facility rates from sanitary landfill facility rates. A county may achieve reduction through the use of moneys in its district investment tax fund to pay directly part of the fees charged for disposal to all users of a resource recovery facility;
- 2) To design, finance, construct, operate or maintain environmentally sound state-of-the-art sanitary landfill facilities to be utilized for disposing of those solid wastes which cannot be processed by a resource recovery facility or the waste products resulting from the operation of a resource recovery facility;
- 3) To design, finance, construct, operate or maintain environmentally sound state-of-the-art sanitary landfill facilities to be utilized for disposal of those solid waste, on a long-term basis, if a county can demonstrate to the satisfaction of the department that utilization of a resource recovery facility is not feasible for disposal of the solid waste generated in that county;
- 4) To finance the closing costs for the proper closure of any terminated sanitary landfill facility located within a county whenever that county has made an investment tax rate adjustment for this purpose in accordance with the study conducted pursuant to N.J.S.A. 13:1E-146; and
- 5) To administer the investment tax fund, up to an amount not to exceed 2% of the total moneys appropriated to the fund during the fiscal year.

II. Disbursement Schedule

All disbursement schedules for District Resource Recovery Investment Tax Fund moneys shall include, but not be limited to, the following: *

- 1) Narrative which outlines the purpose, background and legislative justification of and authorization for the use of the funds;
- 2) Narrative which provides the purpose, description and objectives of the project proposed for receipt of fund moneys;
- 3) Narrative which provides specific project performance data, implementation schedules and project status;
- 4) A spread sheet or other tabular or budgetary format which provides at least the following information, over time (choice of the time interval is at the discretion of the county, but shall not be longer than annually);

- a) Initial fund balance;
- b) Additional deposits to fund based upon tax rates and projected waste generation and disposal figures, under various recycling/reduction assumptions and population/economic growth assumptions;
- c) Interest accrued on fund balance, by year;
- d) Recipients of fund moneys, by amount, by proposed use, by time interval;
- e) Use of moneys by recipients, by amount, by time interval;
- f) If available, a budget for fund disbursements.

* A model format is attached. This format is from the approved Burlington County submission and is presented as guidance and need not be strictly adhered to. The Department recognizes that the data analysis may be presented in a variety of acceptable formats. For example, the Department has received a cash flow spreadsheet format that meets the criteria. This format is available for examination by the county.

Attachment

	<u>1985</u> (245 days)	<u>1986</u>	<u>1987</u>	<u>1988</u>
Tax	\$1.00/ton	\$2.00/ton	\$3.00/ton	\$4.00/ton
Tons of Waste ¹		334,413 tons	338,282 tons	342,151 tons
Subtotal		<u>\$668,826.00</u>	<u>\$1,104,846.00</u>	<u>\$1,358,530.00</u>
Total ²	\$255,715.32	\$655,449.48	\$994,549.08	\$1,341,231.90

¹ Based on projected in-County waste disposal rates shown below.

² Total is calculated minus a 2% N.J. Department of Treasury Share.

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BURLINGTON COUNTY ESTIMATED WASTE DISPOSAL RATE³

	<u>1986</u>	<u>1987</u>	<u>1988</u>
IN-COUNTY GENERATION Tons/per/day	916.2	926.8	937.4
OUT-OF-COUNTY DISPOSAL Pass River/Washington Township - tons/per/day	6.42	6.64	6.86
TOTAL IN-COUNTY DISPOSAL	909.78	920.16	930.5

³ Waste generation rates are based on the USEPA per capita generation rate of 4.7 lbs/capita/day for 1985 and the population projections of the Delaware Valley Regional Planning Commission, as reported in the "Burlington County Solid Waste Management Facilities Complex Conceptual Engineering Design and Master Site Plan Report," Volume I.

Waste generation rates should also account for waste reduction and recycling goals in projecting waste disposal in-county and waste generation in-county.

BURLINGTON COUNTY REGIONAL RECYCLING PROGRAM BUDGET PLAN
1986 - 1988

<u>EQUIPMENT</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>
Eager Beavers (incl. truck)	\$112,000.00	\$232,000.00	\$155,000.00
Box Truck w/Dump	\$80,000.00	\$328,000.00	\$128,000.00
Dump Trailers	\$28,000.00	\$20,000.00	\$0.00
Tractor	\$23,500.00	\$24,000.00	\$0.00
1 Van (for Coordinator)	\$6,000.00	\$0.00	\$0.00
Forklift	\$7,000.00	\$10,000.00	\$0.00
Caterpillar w/ft loader	\$20,000.00	\$25,000.00	\$0.00
Radios w/base	\$17,000.00	\$4,000.00	\$0.00
TOTAL	293,500.00	\$643,000.00	\$283,000.00
<u>PERSONNEL</u> (INCLUDES ALL FRINGE)			
1 Coordinator	\$21,000.00	\$23,900.00	\$25,376.00
1 Asst. Coordinator	\$17,290.00	\$18,500.00	\$19,610.00
Riders	\$225,780.00	\$364,773.00	\$488,358.00
Drivers (SV & EBT)	\$218,068.00	\$487,326.00	\$649,642.00
Drivers (TT)	\$26,800.00	\$46,000.00	\$69,000.00
Phone Operator	\$14,500.00	\$15,515.00	\$16,446.00
Delran Equipment Operator	\$5,270.00	\$16,000.00	\$16,960.00
Southampton Equipment Operator	\$0.00	\$4,000.00	\$16,000.00
TOTAL	\$528,708.00	\$976,014.00	1,301,392.00
<u>OPERATING (CURBSIDE)</u>			
Fuel	\$70,000.00	\$115,000.00	\$140,000.00
Maintenance	\$40,000.00	\$55,000.00	\$70,000.00
Insurance	\$60,000.00	\$105,000.00	\$135,000.00
Safety Apparel	\$4,000.00	\$4,000.00	\$4,000.00
TOTAL	\$174,000.00	\$279,000.00	\$349,000.00
<u>DELRAN RECYCLING CENTER</u>			
Insurance	\$5,000.00	\$12,000.00	\$14,000.00
Utilities	\$5,000.00	\$11,000.00	\$12,500.00
Maintenance	\$1,500.00	\$3,000.00	\$3,500.00
Supplies	\$2,000.00	\$7,000.00	\$8,000.00
TOTAL	\$13,500.00	\$33,000.00	\$38,000.00
<u>SOUTHERN RECYCLING CENTER</u>			
Insurance	\$0.00	\$2,000.00	\$8,000.00
Utilities	\$0.00	\$2,000.00	\$6,000.00
Maintenance	\$0.00	\$500.00	\$2,000.00
TOTAL	\$0.00	\$4,500.00	\$16,000.00
Total Operating	\$716,208.00	\$1,292,514.00	\$1,704,392.00
Administration 9%	\$64,458.72	\$116,326.26	\$153,395.28
SUBTOTAL	\$780,666.72	\$1,408,840.26	\$1,857,787.28
Total Equipment	\$293,500.00	\$643,000.00	\$283,000.00
 GRAND TOTAL	 \$1,074,166.72	 \$2,051,840.26	 \$2,140,787.28

Recycling Centers

Recycling centers are subject to the provisions of N.J.A.C 7:27-5, "Prohibition of Air Pollution". This regulation prohibits odors and other air contaminants which interfere with the enjoyment of life or property.

Recycling centers are considered solid waste facilities, which are subject to N.J.A.C. 7:27-8.2(a)16 which requires air pollution control permits for any equipment which vents a solid waste facility directly or indirectly into the outdoor atmosphere. Such vents may require devices to control odors and other air contaminants.

The combustion of used oil, and mixtures of used oil and other oil are subject to the provisions of N.J.A.C 7:27-8.2(a)13 which requires the combustion of such oil only be done in controlled devices with air pollution control permits specific to the combustion of used waste oil.

Composting Facilities

Composting Facilities are subject to the provisions of N.J.A.C. 7:27-5, "Prohibition of Air Pollution". This regulation prohibits odors and emissions of other air contaminants which interfere with the enjoyment of life or property. Additionally, air pollution control permits are required for equipment used to vent a solid waste facility to the ambient atmosphere (N.J.A.C. 7:27-8.2(a)16).

Stationary conveying equipment which causes fugitive emissions of air contaminants requires air pollution control permits pursuant to the provisions of 7:27-8.2(a)11.

Let's protect our earth



JAN 21 1988

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CN 412
TRENTON, N.J. 08625-0412

GREEN ACRES PROGRAM

MEMORANDUM

DATE: January 15, 1988
TO: Robert S. Stokes, Chief
Bureau of Planning
FROM: Kevin S. Richardson, Senior Planner
Bureau of Green Trust Management
SUBJECT: Cape May D.S.W.M.P.

Upon my review of the above mentioned subject, our agency response should be not inconsistent with the plans and programs administered by this agency.

However, there are some apparent ambiguities in the D.S.W.M. plan which should be incorporated into the comments section.

1. Wherein the County plan "should provide... clear guidance for the location, development and operation of future recycling facilities..." should also preface that other approvals may be required, i.e. Stream Encroachment, CAFRA, Green Acres, etc.

The plan, as stated, gives the impression that only the Solid Waste Management Act, Mandatory Recycling Act, or Board of Public Utilities have review and approval authority for recycling activities, part of which involves site selection.

2. Again, "Designated Recycling Centers are not required to obtain a registration statement, engineering design approval or approval of an environmental and health impact statement from the NJDEP prior to beginning operations," implies that any facility consistent with the D.S.W.M. plan needs no other approvals, and the use of lands that would otherwise be in any other violation of any other Rules, Regulations, Statutes, etc. are not applicable and therefore waived as a result of the Mandatory Recycling Act. This is not so and the recommendation contained in Item #1 applies.

Memo-Robert Stokes
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January 15, 1988

3. Finally, the provision that, "Any facility/center which fails to maintain consistency with the conditions listed above for a continuous period of more than six (6) months should be removed from the Recycling Plan by amendment, and designated as a solid waste facility and regulated in accordance with the Solid Waste Management Act (N.J.S.A. 13-1E et seq.)" appears to be misleading. A municipality operating a park recycling center on Green Acres land for example, could interpret the provision as indicating that only Solid Waste approval is required to continue to operate the solid waste facility while Green Acres approval of the change use is also needed. Other programs (e.g. Pinelands) would also have an interest.

Thank you.

KSR:k